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CONTENTS

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INTRODUCTORY NOTE

Of special significance in the labor legislation of this year are laws in five states, California, Massachusetts, New York, Ohio and Pennsylvania, extending the commission form of factory law administration as adopted in Wisconsin two years ago. In these states the legislatures have laid down the law in a broad way, and, as rapidly as circumstances permit, the commissions or industrial boards may fill in the detail through administrative orders.

No less striking in this year's labor legislation is the creation of state commissions to fix minimum wage rates for women and children. Following the Massachusetts example of 1912, eight additional states (California, Colorado, Minnesota, Nebraska, Oregon, Washington, Wisconsin and Utah) now have minimum wage laws. In this connection a most significant feature, new in American labor law, has appeared: four states (California, Ohio, Oregon and Wisconsin) have given to commissions the power to regulate the working hours of women and children. In Ohio, this authority, when considered in connection with recent constitutional amendments, appears to include also adult men.

More stringent laws requiring the notification of industrial accidents and diseases, and the enactment of workmen's compensation measures in seven additional states (Connecticut, Iowa, Minnesota, Nebraska, Oregon, Texas and West Virginia) are also of first importance. Of more than ordinary significance, too, in state legislation, are effective laws providing for one day of rest in seven in Massachusetts and New York, and laws for the prevention of occupational diseases, with special reference to lead poisoning, in Missouri, Ohio and Pennsylvania.

Legislation directly affecting child labor was enacted this year in thirty-one states. Shorter hours, a higher minimum age and prohibition of night work are the main tendencies.

Federal labor legislation is increasing in importance as well as in volume. Noteworthy this year among the Acts of Congress are provisions which remodel the law for conciliation in railway disputes, and create a federal Department of Labor.

This, our fifth annual Review of Labor Legislation, supplements earlier publications, and, by bringing down to date the record of labor legislation in the United States, furnishes a basis for further constructive work.

For valued cooperation in the preparation of the section relating to workmen's compensation laws we are indebted to Prof. Ernst Freund, of the University of Chicago Law School, and for the preparation of the tabular analysis on that subject to P. Tecumseh Sherman, Esq., of New York. To Stewart Schrimshaw, of the Wisconsin Industrial Commission, we are indebted for assistance in preparing the tabular analysis of minimum wage laws, but to Irene Osgood Andrews, ably assisted by Solon De Leon, is due the main credit for the long painstaking analysis of this year's labor legislation.

John B. Andrews, Secretary,
American Association for Labor Legislation.

LABOR LEGISLATION OF 1913

I. ANALYSIS BY SUBJECTS AND BY STATES

The labor laws enacted by the forty-two states which held regular legislative sessions in 1913, and the federal labor laws of the sixty-second Congress, third session and the sixty-third Congress, first session, are analyzed below in alphabetical order by subjects and by states with chapter references to the session laws. The labor laws of Louisiana enacted in 1912 were published too late to be included in the Review of Labor Legislation for that year and are therefore summarized here, as are also the labor laws of Vermont enacted at the session beginning in October, 1912. In addition to the regular sittings several of the states held special sessions and the labor laws there enacted are also summarized in this REVIEW.

ACCIDENTS AND DISEASES

A. REPORTING

Important gains were made in the legislative year of 1913 toward more complete records of the death and disability caused by industrial accidents and occupational diseases.

a. ACCIDENTS

A total of fourteen states enacted legislation bearing on accident reporting. Of these no fewer than seven—Illinois, Florida, Maine, Missouri, Montana, New Hampshire, and Pennsylvania—required accident reports from railroads and other public service corporations. Laws for the reporting of accidents in factories were enacted or strengthened in five states, and in three states similar action was taken with regard to mine accidents.

Colorado.—(See "Mines", p. 324).

Florida.—Common carriers must report to the railroad commissioners all accidents on their respective lines, with such particulars as are required by the commissioners. No such report is competent evidence against the common carrier making it. (C. 6527, sec. 11. In effect, May 26, 1913). Telegraph and telephone companies must

include in their annual report to the railroad commissioners a statement of the accidents to employees and other persons and the cost thereof. Maximum penalty, $5,000 for each offense. (C. 6525, sec. 18. In effect, July 1, 1913).

Illinois.—Every public utility must file with the public service commission reports of accidents endangering the safety, health or property of any person, and accidents resulting in loss of life or limb must be reported by the speediest means of communication, whether telephone, telegraph or post. The more serious accidents must be investigated by the commission, which may make recommendations for safety. (H.B. 907, sec. 56. In effect, January 1, 1914). (See also "Railroads and Streetcars", p. 334).

Iowa.—Fatal accidents and those causing four days' unemployment, occurring in mercantile establishments, mills, workshops, business houses and mines not subject to state mine inspection must be reported to the bureau of labor statistics within forty-eight hours; additional information may be required by the commissioner of labor. Penalty, $5-$100 and costs of prosecution. (C. 196. In effect, July 4, 1913). (See also "Mines", p. 326).

Maine.—Public utilities must report by telephone or telegraph to the public utilities commission all accidents which result in death, to be followed by a detailed written report, and all such accidents must be investigated by the commission. Accidents which result in personal injury must be reported in such form as the commission may determine. No reports may be used as evidence in any action for damages. (C. 129, sec. 33. Referred to the people, 1914). In taking testimony concerning an accident on a railroad, the evidence given by a witness as taken by the stenographer need no longer be signed by the witness with the statement that he has carefully read the same before signing. (C. 191. In effect, July 11, 1913).

Massachusetts.—All records or reports, made by the district police, of injuries, received by employees in factories, workshops and mercantile establishments must be open to the inspection of the public at all reasonable times. (C. 338. In effect, March 21, 1913). The reporting law is amended to require from the employer a supplemental report at the end of sixty days if the disability has continued, and in all cases a report at the time of the recovery of the employee. Copies of all reports filed with the industrial accident board, and statistics made from them, must be open to the state board of labor

and industries. Within sixty days after the termination of any injury the party paying compensation must file with the industrial accident board a statement of the total compensation paid the injured employee. (C. 746. In effect, July 1, 1913). All elevator accidents must be reported immediately to the building inspection department which shall at once investigate the cause of the accident. (C. 806, sec. 5. See "Miscellaneous Industries", p. 347).

Michigan.—(See "Mines", p. 328).

Minnesota.—The accident reporting law has been amended to require all deaths or serious injuries to be reported to the commissioner of labor within forty-eight hours, and all other accidents which incapacitate the workman for more than one week to be reported within fourteen days. The list of questions to be asked is revised and the commissioner may require such supplementary reports as he considers necessary. Copies of all settlements or releases concerning industrial accidents must be filed with the commissioner. The information must not be used in court except in prosecutions for a violation of the act nor may it be disclosed to the public. Penalty, violation is a misdemeanor. (C. 416. In effect, April 21, 1913).

Missouri.—Railroad and streetcar corporations must give immediate notice to the public service commission of every accident on their lines resulting in loss of life or injury, and the commission may investigate; such reports may not be used in any way against the company in any suit. Penalty for a public utility company, $100-$2,000. Maximum penalty for an officer, agent or employee, $1,000, imprisonment for one year, or both. (S.B. 1, secs. 45, 130, 131. In effect, April 15, 1913).

Montana.—Public utilities must report to the public utilities commission, by telegraph followed by written report, every fatal accident and those requiring the attention of a physician or surgeon. The commission must investigate such accidents and make an annual report. Penalty, $100-$500 for each day's violation. (C. 52, secs. 27, 28. In effect, March 4, 1913).

Nebraska.—The accident reporting law is extended to cover all institutions where one or more persons are employed. Reports of non-fatal accidents must be made within two weeks after occurrence, and in addition to the cause must state the nature and extent of injury and the probable loss of time. (C. 103. In effect, April 11, 1913).

New Hampshire.—Railroads and public utilities must report to the public service commission accidents causing loss of life or injury; such reports to be made public only in the reports of the commission. (C. 145, sec. 16. In effect, May 19, 1913).

Pennsylvania.—Within thirty days of the beginning of an employee's disability because of accident the employer must report to the department of labor and industry the "name, address and nature of the business of the employer; name, address, sex, age, nationality of the employee; date, day of week, hour, place and character of the accident, and the nature of the injury, and the duration of the disability, or probable disability, as far as the same can be ascertained," and must also make such further report as may reasonably be required by the department. The act does not apply to casual employments nor to disability less than two days. Reports shall not be evidence against the employer, and employers so reporting need make no further report to the state. Penalty, $100. (No. 408. In effect, July 19, 1913). Public service corporations must give immediate notice to the public service commission of any accident in the operation of their property causing death or injury, with such detail as the commission may require. Reports are not for public inspection except upon order of the commission, and are not evidence in any action for damages. Penalty, $50. (No. 854, article II, sec. 1 (x), article VI, sec. 35. In effect, January 1, 1914).

Tennessee.—In establishments where labor is employed or machinery used, all accidents which "might have resulted in bodily injury or death" must be reported to the chief factory inspector within three days. Accidents resulting in death, or incapacitating an employee for seven days, must be reported within ten days. Reports must contain certain specified data and also any additional information required by the chief inspector. An annual appropriation of $500 is authorized. Penalty, $50-$100 for the first offense; $100-$500 for the second offense. (C. 32. In effect, September 27, 1913).

b. Diseases

Four new states this year—Maine, Minnesota, New Hampshire and Ohio—passed laws requiring the most easily recognized occupational diseases to be reported, and Massachusetts gave the state board of labor and industries power to require similar reports. Connecticut and New York added brass and wood-alcohol poisoning

to their previous specific lists of reportable diseases, and in Missouri, Ohio and Pennsylvania the reporting of diseases found in the monthly medical examination of workers in lead-using establishments was made a feature of the new laws on industrial hygiene.

Connecticut.—The occupational disease reporting law is amended to add to the specific list brass and wood-alcohol poisoning, and to place a penalty of not more than $10 upon physicians who fail to report cases. (C. 14. In effect, April 22, 1913).

Maine.—Physicians are required to report to the state board of health all cases of industrial poisoning from lead, phosphorus, arsenic or mercury or their compounds, or from anthrax or compressed-air illness "or any other ailment or disease contracted as a result of such person's occupation or employment", which come within the physician's practice. Reports must be made within ten days after the first visit and must contain the name, address, place of employment and nature of the occupation and of the disease and any other information which may be required by the board of health. Penalty, $5-$10. (C. 82. In effect, July 11, 1913).

Massachusetts.—Every physician treating a patient whom he believes to be suffering from any ailment or disease contracted as a result of the nature of the patient's employment may be required to report the information to the state board of labor and industries, which may issue a list of reportable diseases. Copies of reports must be transmitted, upon request, to the board of health or to the industrial accident board. (C. 813, sec. 6. In effect, June 16, 1913). (See also "Administration of Labor Laws", p. 355).

Minnesota.—The Minnesota law corresponds with the Maine law (see above) except that it requires reports to be sent to the commissioner of labor, omits the nature of the occupation from the information required, provides that state or local boards of health may be required to assist in the enforcement of the act, and sets the penalty at $10 or imprisonment for not more than ten days. (C. 21. In effect, July 1, 1913).

Missouri.—(See "Factories and Workshops", p. 313).

New Hampshire.—Every physician visiting a patient whom he believes to be suffering from poisoning from lead, phosphorus, arsenic, brass, wood-alcohol, mercury or their compounds, or from anthrax or compressed-air illness, or any other ailment or disease due to the nature of the work, must report within forty-eight hours

MAIN PROVISIONS OF EXISTING LAWS RELATIVE TO REPORTING OF OCCUPATIONAL DISEASES*

State	Diseases to be Reported	Reports to Include	To Whom to Report	Penalty
California C. 485, Laws 1911. In effect, June 20, 1911.	Anthrax, compressed air illness, and poisoning from lead, phosphorus, arsenic or mercury, or their compounds.	Name and full postal address and place of employment of the patient, and the disease.	State Board of Health, and thereby transmitted to the State Commissioner of Labor.	Not more than $10.
Connecticut C. 159, Acts 1911. In effect, Sept. 1, 1911. Am'd by C. 14, Laws 1913. In effect, April 22, 1913.	Same as California, and brass and wood-alcohol poisoning.	Same as California.	State Commissioner of Labor.	Same as California.
Illinois H. B. 250, Laws 1911. In effect, July 1, 1911.	Law is obscure, but apparently includes poisoning from "sugar of lead, white lead, lead chromate, litharge, red lead, arsenate of lead or paris green," and "the manufacture of brass or the smelting of lead or zinc."	Name, address, sex and age of employee; name of employer and last place of employment; nature, probable extent and duration of the disease.	State Board of Health, and thereby transmitted to State Department of Factory Inspection.	First offense, $10 to $100; subsequent offense, $50, to $200.
Maine C. 82, Laws 1913. In effect, July 11, 1913.	Same as California (and "any other ailment or disease contracted as a result of" the patient's employment).	Same as California (and "the nature of the occupation" and "such other specific information as may be required by the State Board of Health").	State Board of Health.	$5-$10.
Maryland C. 165, Laws 1912. In effect, Apr. 8, 1912.	Same as Maine.	Same as Maine.	Same as California.	Same as California.
Massachusetts C. 813, sec. 6, Laws 1913. In effect, June 16, 1913.	"Any ailment or disease contracted as a result of the nature . . . of the patient's employment"—if required by the joint board of the State Board of Labor and Industries and the Industrial Accident Board.	To be determined by the joint board.	State Board of Labor and Industries, and thereby transmitted—upon request—to the State Board of Health and the Industrial Accident Board.	Not more than $100 for each offense.
Michigan No. 119, Acts 1911. In effect, Aug. 1, 1911.	Same as California.	Same as California (and "the length of time of such employment").	Same as California.	Not more than $50.
Minnesota C. 21, Laws 1913. In effect, July 1, 1913.	Same as California.	Same as California, (and "such other specific information as may be required by the commissioner of labor").	Commissioner of Labor.	$10, or imprisonment for not more than 10 days.

Missouri H. B. 536, Laws 1913. In effect, June 23, 1913.	Poisoning from "antimony, arsenic, brass, copper, lead, mercury, phosphorus, zinc, their alloys or salts or any poisonous chemicals, minerals, acids, fumes, vapors, gases, or other substances".	Name, address and business of employer, all the diseases the employee has, their probable duration, name and business of employee, last place and length of employment.	State Board of Health, and thereby transmitted to the state factory inspector and the superintendent of the factory.	Not more than $50.
New Hampshire C. 118, Laws 1913. In effect, July 1, 1913.	Same as California.	"Name, address and occupation of the patient, name, address and business of the employer, nature of the disease, and such other information as the state board of health may reasonably require".	Same as California.	For each offense, $5.
New Jersey C. 351, Laws 1912. In effect, July 4, 1912.	Same as California.	Same as Maryland.	Same as California.	For each offense, $25.
New York C. 258, Laws 1911. In effect, Sept. 1, 1911. Am'd by C. 145, Laws 1913. In effect, Oct. 1, 1913.	Same as Connecticut.	Same as California ("with such other and further information as may be required by the Commissioner of Labor").	State Commissioner of Labor.	Same as California.
Ohio H. B. 187, Laws 1913. In effect, April 23, 1913. —— H. B. 483, Laws 1913. In effect, Oct. 1, 1913.	Same as Connecticut, (and "any other ailment or disease contracted as a result of" the patient's employment). —— Lead poisoning.	Same as New Hampshire. —— Same as above (and "probable extent of disease").	State Board of Health, thereby transmitted to "the proper official having charge of factory inspection". —— State Department of Factory Inspection, State Board of Health, and the employer.	None. —— $10-$100.
Pennsylvania No. 851, Laws 1913. In effect, Oct. 1, 1913.	Lead poisoning.	Same as New Hampshire (and "probable extent of disease").	State Department of Labor and Industry, State Department of Health, and the employer.	$10-$100.
Wisconsin C. 252, Laws 1911. In effect, June 5, 1911.	Same as California (except that "anthrax" is omitted).	Same as California.	State Board of Health.	Same as California.

* In all states except Illinois, Missouri, and Pennsylvania the obligation to report falls upon every medical practitioner or physician; in the three states named (and in Ohio under one of the two acts above analyzed) it falls upon any physician making the required monthly examination of employees in certain specified industries. In all states except Californian and Connecticut where a fee of fifty cents is allowed, no compensation for reports is paid by the state.

of his first visit the name, address and occupation of the patient, name, address and business of the employer, nature of the disease, and such other information as the state board of health may reasonably require. Reports must be made on or in conformity with the standard schedule blanks to be formulated and furnished free by the state board of health, and they may not be used as evidence in any action for damages arising out of the disease reported. The state board of health must transmit a copy of each report to the commissioner of labor. Penalty, $5 for each offense. (C. 118. In effect, July, 1, 1913).

New York.—The occupational disease reporting law was amended by adding brass and wood-alcohol poisoning to the specified list of reportable diseases. (C. 145, sec. 65. In effect, March 28, 1913).

Ohio.—The law is the same as in New Hampshire (see above) except that the reports must be transmitted by the state board of health to the official in charge of factory inspection, and no penalty is provided. (H.B. 187. In effect, April 23, 1913). (See also "Factories and Workshops", p. 321).

Pennsylvania.—(See "Factories and Workshops", p. 322).

B. PREVENTION

a. Factories and Workshops

Three important measures were enacted in Ohio, Pennsylvania and Missouri for the prevention of occupational diseases, with special reference to lead poisoning. In New York many of the existing laws for the health, safety and comfort of employees were amended, the fire prevention law was greatly extended, and tenement house shops entirely separated from living quarters, and foundries, were made subject to the laws governing factories. Industrial boards or commissions were created in California, New York, Ohio, Oregon, Pennsylvania and Washington, with power to make additional rules and regulations for the welfare of employees. In Massachusetts the powers of the re-organized board of labor and industries were extended. In Minnesota, the power of the bureau of labor in enforcing provisions for the health and safety of employees was greatly increased. In several other states measures were enacted protecting employees from injurious dusts and fumes, requiring

safety devices on dangerous machinery, and also wash rooms, dressing rooms, toilets and other measures for sanitation and comfort.

California.—In factories operated by machinery where five or more persons are employed, a medical or surgical chest must be maintained, free of cost to the employees, and must contain a specified list of medicines and appliances costing not less than $6. Penalty, $10-$50 for every week's violation. (C. 278. In effect, August 10, 1913). (See also "Administration of Labor Laws", p. 353).

Connecticut.—In establishments where emery, tripoli, or other abrasive, polishing or buffing wheels are used in the manufacture of articles of iridium or metal, or where an excessive amount of dust is created, exhausts or removal devices must be installed as required by the factory inspector and the state board of health. If orders are not complied with within sixty days, the factory inspector may close the department where dusty processes are carried on, and the employer is also subject to a fine of not more than $500 for each offense. Orders are enforceable in a superior court or by a judge thereof through an injunction upon demand of the factory inspector and state board of health. (C. 208. In effect, June 6, 1913).

Delaware.—The law requiring sanitation in canneries requires also wash stations with sufficient water, soap and sanitary towels, places where employees may change and hang their clothing, and separate toilet rooms. Living rooms must have water-proof roofs, tight board floors, ample light and ventilation, and must provide for privacy for each sex. Employees are forbidden to smoke or spit in work rooms, females must wear wash dresses and wash caps and the cannery inspector must post in at least five conspicuous places abstracts of the law. Minimum penalty, for each day's violation, $10 for a first offense, $25-$50 for a second, $100-$200 for a third offense. If a third violation occurs the court of general sessions may close the factory and prohibit the person from carrying on the canning business until again permitted by the court. Salary of inspector, $1,000 with $250 for contingent expenses. Maximum penalty for refusing entrance or hindering an inspector, $100 for each offense. (C. 97. In effect, March 19, 1913).

Florida.—Specifications are laid down for the plumbing, lighting, ventilation, and for washing facilities, fire escapes and fire extin-

guishers, etc., of hotels and restaurants, "to insure the safety and health of employees and patrons". The hotel commissioner and his deputies are to enforce the act. Penalty, $5 for each day's violation, and after thirty days' violation a place may be closed until the act is complied with. (C. 6475. In effect, June 7, 1913). (See also "Child Labor", p. 367).

Illinois.—Owners or operators of any coal mine, steel mill, foundry, machine shop, or other like place where employees become covered with grease, smoke, dust, grime and perspiration to such an extent that their condition will endanger health or be offensive to the public, must maintain a sufficient number of convenient, suitable and sanitary wash rooms adjacent to the work place. Wash rooms must be so arranged that employees may change their clothing, must be provided with lockers and hot and cold water, and must be heated in cold weather. Both the factory and the mine inspectors are to investigate conditions and report to owners or operators recommended changes and improvements. Maximum penalty, $100 for each day's offense. (H.B. 348. In effect, July 1, 1913).

Iowa.—All work places where molten metal or other material gives off deleterious gases or fumes must be provided with adequate ventilators or equipped with pipes or flues which will easily carry the fumes and gases into the open air. (C. 306. In effect, July 4, 1913).

Louisiana.—Newspaper and printing concerns using three or more linotype or other type-casting machines must install an exhaust fan or other device sufficient to keep pure air circulating in the room and to expel the fumes. They must also install a vent pipe on each machine, running from the metal pot to a flue or other aperture. Penalty, $25-$100, or imprisonment for not over sixty days, or both, for every fifteen days' non-compliance. (No. 237. In effect, August 19, 1912).

Massachusetts.—Upon the request of any member of the inspection department of the district police or of any five employees in a factory or workshop, the state board of labor and industries must ascertain whether such shop is adequately lighted, and may specify desirable changes; owners must comply as soon as they can "by the exercise of reasonable diligence". Maximum penalty, unless "failure is not the result of causes beyond the control of the owner or lessee", $500. (C. 766. In effect, July 13, 1913). All publishers and

printers must use a sanitary cloth or other sanitary material in cleaning presses. (C. 472. In effect, May 10, 1913). (See also "Administration of Labor Laws", p. 355).

Michigan.—The law governing factory doors is strengthened by requiring doors to swing outward in all cases instead of only "where practicable" as before; the alternative of sliding doors, and the discretion of the factory inspector in the matter, are abolished. (C. 160. In effect, June 14, 1913).

Minnesota.—The amended law for safety in industrial and mercantile establishments, engineering or building operations, covers practically every place where persons are employed and includes practically every danger point. "Suitable", "practicable" and "proper" protection is required, and the terms must "be given a broad interpretation so as to include any practicable method of mitigating or preventing a specific danger". In ordering additional fire-escapes on buildings more than two stories high where persons are employed, the commissioner is limited to one additional fire-escape for every 100 persons employed above the first floor. Doors opening upon fire-escapes must be metal covered and where glass is used above the first floor in doors or windows opening upon or under fire-escapes, it must be wire-glass. Inflammable articles or oily waste must be disposed of as ordered by the commissioner. (C. 316. In effect, October 1, 1913).

Missouri.—Every foundry in which ten or more men are employed is to be provided with wash rooms with hot and cold water, water closets, and dressing rooms directly connected with the foundry, and be heated, ventilated and provided with lockers. The state factory inspector is to enforce the act, visiting each such foundry at least twice a year. Minimum penalty, $50. (H.B. 130. In effect, June 23, 1913). Processes in which antimony, arsenic, brass, copper, lead, mercury, phosphorus, zinc, their alloys or salts or any poisonous chemicals, minerals, acids, fumes, vapors, gases, or other substances, are generated or used in harmful quantities or under harmful conditions, are declared to be especially dangerous to the health of employees, and employers must provide effective devices for the prevention of occupational disease. Employees must be provided with working clothes, and with respirators if working in poisonous dusts. They must be examined at the expense of the employer by a competent physician every month, and triplicate reports of the result

must be made within twenty-four hours to the state board of health. If an occupational disease is found, the report must state the name, address and business of the employer, all the diseases the employee has, the probable extent and duration thereof, the name and business of the employee, and the last place and length of employment. Copies thereof must be transmitted by the secretary of the state board of health to the state factory inspector and the superintendent of the factory. Dressing rooms and lavatories, with hot and cold water, individual towels, soap, shower-baths and lockers, must be maintained separately for men and women. No employee may take any food or drink into the work rooms or remain there during meal time; suitable provision must be made elsewhere in the establishment for taking meals. Sanitary drinking fountains, supplied with wholesome iced water, must be maintained. Adequate devices are required for carrying off poisonous furnace fumes, and dust; floors must be kept smooth and hard, and no dry sweeping is permitted during working hours. Separate apartments are required for keeping and weighing ore, slag, dross and fume, which must be dampened or covered before being handled or transported. Reasonable precautions must be taken in all processes to prevent the unnecessary creation and raising of dust; floors must be washed every working day; especially dangerous processes must where practicable be carried on in separate rooms under cover of an efficient device to remove the danger "as far as may be reasonably consistent with the manufacturing process"; and fixtures and tools must be washed at reasonable intervals. Hoppers and chutes must be covered and provided with devices for drawing away poisonous dusts and "preventing the employees from coming into unnecessary contact therewith", receptacles must be covered or dampened, and no dangerous refuse may remain accumulated on the floors. Notices of the dangers of the process and simple instructions for avoiding them must be conspicuously posted in every workroom. The state factory inspector must enforce the act, visiting such establishments at least once a year. Maximum penalty for a physician failing to report, $50. Penalty for an employer or employee violating the provisions of the act or interfering with the department of factory inspection, $25-$200. (H.B. 536. In effect, June 23, 1913).

Nebraska.—The law governing safety and health has been largely rewritten, with many amplifications. The regulations governing

toilets are made to apply to all establishments where one or more persons are employed. Devices for removing dust or fume are made subject to approval by the commissioner of labor, his deputies, or factory inspectors. The rules for machine guards are extended to cover all institutions where machinery is used, and belt shifters must be operable from the floor. Specifications are added detailing the method of protecting gears, set screws, shafting ends, belts, pulleys, and roll feeds. A device for instantly stopping machines by hand or foot, which shall be within reach of the operator, is also required. Laundry extractors and other exposed high speed revolving machinery must be screened. Wood planers, saws and the like must be protected by devices subject to the approval of the commissioner of labor or his subordinates. Elevator rules are established, and special devices are required for the protection of persons repairing electric circuits or working in boilers. Every factory or other institution more than two stories high must be equipped with outside fireproof iron stairways, chutes or toboggans, and also one automatic fire-escape for every fifteen persons who may not be able to reach or use the above-named devices. (C. 103. In effect, April 11, 1913).

New Hampshire.—The fire protection law is again amended to cover mills and workshops as well as factories. Buildings in which laborers are employed must have more than one egress which must be kept free from obstruction. Doors must open outward "when practicable", and shall not be so fastened during working hours "as to prevent free egress". (C. 215. In effect, May 21, 1913).

New York.—The definition of "factory" is extended to include "all buildings, sheds, structures or other places used for or in connection therewith", except power-houses, barns, storage houses, sheds and other structures (but not construction or repair shops) used in connection with railroads and subject to the public service commission; "work for a factory" is defined to mean work "done at any place, upon the work of a factory or upon any of the materials entering into the product of a factory, whether under contract or arrangement with any person in charge of or connected with such factory directly or indirectly through the instrumentality of one or more contractors or other third person"; "factory building" means "any building, shed or structure which, or any part of which is occupied by or used for a factory". The definition of "tenement house" is extended to include those tenement buildings which are occupied "in

whole or in part", and specifically includes apartment or flat houses which come under the definition of a tenement; the qualifying phrase of the old law: "and having a common right in the halls, stairways, yards, water closets, or privies, or some of them", is omitted from the new definition. (C. 529. In effect, May 15, 1913). Brass, iron and steel foundries are now subject to all requirements of the consolidated labor law relating to factories. Windows must be kept in proper repair; drafts must be minimized; gangways must be wide enough to be reasonably safe for employees and must not be obstructed in any way during the process of casting. All foundries must be "properly and thoroughly" lighted during working hours, properly heated in cold weather, and provisions must be maintained for drying the working clothes of employees. Where ten or more are employed wash rooms must be provided, adequately equipped with hot and cold water, and kept clean and properly heated; lockers must be provided for the safe-keeping of employees' clothes; where closets are permitted to be outside the factory, the passageway must be constructed so as to protect employees, and the closets must be heated; flasks, molding machines, ladles, cranes and apparatus for transporting molten metal must be kept in proper repair and not used when defective; an ample supply of lime water, olive oil, vaseline, bandages and absorbent cotton, or equally good substitutes, must be kept on hand for use in case of burns or accidents. Penalty, see p. 359. (C. 201. In effect, October 1, 1913).

Comfort and Health.—The law requiring proper ventilation in factories is rewritten and broadened, and gives the industrial board power to fix standards and make rules and regulations for the removal of air impurities or conditions injurious to health. If rules are not complied with the commissioner of labor must issue an order directing compliance within thirty days, and he may require plans and specifications of proposed alterations to be filed for his approval. Failure to comply with any order is subject to a fine of $15 a day in addition to the regular penalty provided by law. (See p. 359). (C. 196. In effect, October 1, 1913).

The existing law providing for toilet facilities is amended to require separate wash rooms for each sex to be maintained in every factory, and to be equipped with sinks or stationary basins provided with running water or with tanks holding an adequate supply

of clean water. Wash rooms must be constructed, heated, lighted, ventilated and maintained according to the rules and regulations of the industrial board. Where more than ten women are employed the board may order additional, separate dressing rooms with floor-space in proportion to the number of employees but not less than sixty square feet, with seats and means for hanging clothes, and the rooms must be constructed, heated, ventilated, lighted and maintained according to the regulations of the board. Water closets must be provided and located as directed by the industrial board, and those for the exclusive use of females so designated; where the closets for both sexes adjoin, solid plastered or metal covered partitions, extending from floor to ceiling, must be maintained, and when opening into work rooms with interiors exposed they must be screened, but curtains may not be used for screens. The use of any form of trough water closet, latrine or school sink within any factory is prohibited, and any existing closet of this character must be removed and the place disinfected before October 1, 1914. Existing closets or urinals must have a basin of enameled iron or earthenware; and must be flushed from a separate water-supplied cistern or through a flushometer valve connected so as to keep the factory water supply free from contamination. All woodwork enclosing water closet fixtures must be removed from the front, leaving the space underneath the seat open; the floor must be maintained in good repair and painted in a light color; compartments must have windows leading to the outer air and must be provided with artificial illumination. Where necessary closets must be heated or the pipes covered so as to prevent freezing. All toilet facilities must be constructed, lighted, ventilated, arranged and maintained in accordance with the rules and regulations of the industrial board. Penalty, see p. 359. (C. 340. In effect, October 1, 1913). The amended law requires the floors, walls, ceilings, windows, fixtures and all other parts of every workroom in a factory to be kept in a clean and sanitary condition; the walls and ceilings must be lime washed or painted, except when properly tiled or covered with slate or marble having a finished surface. Paint or lime wash must be renewed whenever so ordered by the commissioner of labor. A "sufficient number" of sanitary cuspidors must be provided. Other cleanliness requirements of the old law remain. Penalty, see p. 359. (C. 82. In effect, October 1, 1913). Every part of a factory building and of

the premises including the yards, courts, passages, areas or connecting alleys must be kept free from dirt, filth or rubbish. Roofs, stairs, halls, basements, cellars, closets, cesspools, drains and all other parts must be kept safe and sanitary, and the entire building and premises must be well drained and the plumbing kept in repair and in a sanitary condition. Penalty, see p. 359. (C. 198. In effect, October 1, 1913).

In addition to stringent regulations for the protection of the public health, bakeries must be provided with "proper and adequate" windows and, if required by the industrial board, mechanical means of ventilation which must be effectively used and operated. All employees while making or handling bread must wear slippers or shoes and suits of washable material, kept clean and used only while at work. No person with a communicable disease or who refuses to be physically examined may work in a bakery. Bakeries must secure an operating license for which detailed rules are established and the closing of unclean shops and those operating illegally is provided for. The industrial board may make rules and regulations to carry out the requirements of the law. Penalty, see p. 359. (C. 463. In effect, May 9, 1913).

Tenement House Work.—The law regulating tenement house work is amended by omitting the specified list of prohibited articles of manufacture and permitting work only on articles for personal use and on cotton and linen fabrics which are subject to the laundering process. The manufacture of articles of food, dolls or dolls' clothing, children's or infants' wear is specifically forbidden. The amended law exempts shops situated on the ground floor which are entirely separated from the rest of the building and which are not used for sleeping or cooking purposes; such shops hereafter will be subject to inspection under the factory acts. The regulation of cellar bakeries is also specifically placed under the bakery law. To the old conditions under which a license may be revoked is added a new one which forbids the employment of children under fourteen in tenements. Any employer in any factory giving out work to be done in a tenement must issue with the materials a legible label bearing his name and address which must, on demand, be exhibited to the tenement inspectors. Before articles for tenement manufacture may be sent out, the employer must also secure from the commissioner of labor a permit which may be revoked if any part of the

law is violated. A complete list of the names and addresses of factory owners sending out work, of all tenement houses holding licenses, and of all revoked or suspended licenses must be published from time to time by the commissioner of labor. The law is amended with several additional details which clarify and aid enforcement. Penalty, see p. 359. (C. 260. In effect, October 1, 1913).

Safety.—The law providing for the protection of employees from dangerous machinery is rewritten, making requirements more specific and giving to the industrial board power to make protective rules and regulations. When the top or opening of any vat or pan is lower than the elbow of any of the operators, a cover must be maintained to protect employees, but if the work must be done with the cover removed adequate railings must be provided; hydro-extractors must be covered or properly guarded while in motion. All dangerous machinery must be properly guarded, with hoods, boxes or other suitable covering and maintained in a proper condition. Hereafter only belting and revolving shafting within seven feet of the floor, instead of all belting and shafting, must be properly protected. It is made the duty of an employer or supervising agent to see that any safeguard removed for repairs or adjustment is promptly and properly replaced; and when the use of any unsafe machine is forbidden, the prohibiting notice must not be removed except by an authorized representative of the department of labor. The discretionary power of the commissioner of labor to order the proper lighting of halls and stairways is removed; but passageways and other parts of a factory, and all moving parts of machinery which are not so guarded as to prevent accidents and about which persons pass or work, must be sufficiently and properly lighted during working hours. Artificial illuminants must be installed in every workroom and the light must be at all times adequate and must prevent unnecessary strain or glare; the industrial board may make rules and regulations in regard to proper lighting. Penalty, see p. 359. (C. 286. In effect, October 1, 1913).

Fire Prevention.—The fire prevention law is amended to permit baled waste material to be kept in the building for one month (instead of being removed daily) if stored in fireproof enclosures. A notice of the provision forbidding any person to smoke in any factory, with the penalty, must be posted in every entrance hall, elevator car, stair-hall and room in the factory. The notice must

be in English and any other language that the fire commissioner or state fire marshal may direct. Penalty, see p. 359. (C. 194. In effect, April 3, 1913). The law requiring fire drills in factories is amended to require drills only in those buildings over two stories in height where more than twenty-five are employed above the ground floor, instead of in buildings where twenty-five are "regularly" employed above the ground "or first" floor. Alarms must be clearly audible to all occupants and must permit the sounding of all alarms whenever one is sounded; they must be installed by either the owner or the lessee, must be maintained in good working order, and no one may tamper with or make the system ineffective; whoever discovers a fire must immediately sound the alarm. The industrial board may prescribe the number and location of signals, and the fire commissioner in New York city, or the state fire marshal elsewhere, must organize, supervise, and regulate the operation of the drills. Penalty, see p. 359. (C. 203. In effect, October 1, 1913). The fire prevention law for New York City is amended to require the fire commissioner to enforce the authorized rules and regulations of the industrial board of the department of labor, to remove the inspection of factories from the fire commissioner's jurisdiction, and to amend the method of selecting the persons to make surveys of buildings. (C. 695. In effect, October 1, 1913).

The earlier law providing for protection against fire is rewritten and made specific and is greatly extended in its application and requirements. It regulates the fire prevention provisions for existing buildings, the construction of future buildings, limits the number of occupants on floors in proportion to the floor space, use of sprinkling systems, to the kind of materials used in construction and to the width and construction of stairways. The law also regulates the construction of doors, windows, exits, stairways, landings, and defines what shall constitute fire proof construction and material. (C. 461. In effect, October 1, 1913). (See also "Administration of Labor Laws", p. 358).

North Carolina.—In all industries employing more than two males and females separate toilets must be provided for each sex and for both white and colored employees. In buildings hereafter erected toilets must be in separate parts of the building; and in those already erected they must be separated by substantial walls of brick or timber. The act does not apply where toilet arrangements are

furnished off the premises occupied by the employer, nor to cities of less than 1,000 population, nor to nine specified counties, nor where work is not done chiefly indoors. Police officers in towns and cities, and elsewhere the county sheriff, are to enforce the act. Penalty, for an employee who wilfully intrudes into a toilet intended for others, $5; for an employer who fails to comply with the act, $5 for the first offense and $5 for each day's continued violation. (C. 83. In effect, March 8, 1913).

Ohio.—Every employer is required to provide, without cost to the employees, reasonably effective devices, means and methods to prevent illness or disease incident to the work or process in which such employees are engaged. In addition, specific regulations are made to protect those employed in the manufacture of white lead, red lead, litharge, sugar of lead, arsenate of lead, lead chromate, lead sulphate, lead nitrate or fluo-silicate. Workrooms must be adequately lighted and ventilated; separate rooms must be provided for the dusty processes with floors which will permit of daily cleaning by wet methods or by vacuum cleaners; vessels or receptacles for crushing, mixing or melting lead or lead salts, and all drying pans, conveyors, elevators, chutes, etc., must be equipped with hoods and air exhausts or with adequate dust removers or collectors, which must be so arranged as not to endanger other employees or those having charge of the dust collectors. Washing facilities, including hot and cold water, soap, towels, brushes and shower baths are required, as well as separate dressing rooms, eating rooms, drinking fountains, double lockers and respirators. At least ten minutes, at the employer's expense, must be allowed each employe before lunch and at closing time for use of the wash room, and an additional ten minutes twice a week for use of the shower baths; it is specifically made the duty of the employee to use these facilities for cleanliness. Every employee exposed to lead dusts or fumes must be examined medically at least once a month by a physician paid by the employer; if lead poisoning symptons are found a record must be filed with the factory inspector within forty-eight hours and one also sent to the employer, who may not employ that man in any place where he will be exposed to lead dusts or fumes without a written permit. Adequate notices must be prominently posted, stating in English and such other languages as circumstances may require, the dangers of the work and instructions for avoiding dangers. Penalty, for an employer who

violates the act, $100-$200 for a first offense, $200-$500 for a second offense, $300-$1,000 for each subsequent offense. Penalty for an employee who fails to comply with the provisions of the act, $10-$25 for a first offense, $20-$50 for a second offense, $30-$100 for each subsequent offense. The general provisions of the law go into effect October 1, 1913; those provisions requiring expensive machinery and extensive changes in building construction go fully into effect one and two years later. (H.B. 483).

The state board of health is directed to investigate and report to the 1915 legislature concerning the effects of occupations upon the health of employees. $14,000 for two years is appropriated. (J.R. 12. Adopted February 13, 1913). (See also "Administration of Labor Laws", p. 360).

Pennsylvania.—A law to prevent occupational diseases with special reference to lead poisoning, in all essentials identical with the Ohio act, was passed. (See above). (No. 851. In effect, October 1, 1913, with exceptions which as in Ohio go into effect on October 1, 1914, and October 1, 1915, respectively).

Emery wheels, emery belts and buffing wheels must be provided with hoods or hoppers so applied as to receive all refuse and carry it off by suction pipes to the outside of the building or to special receptacles. Machines upon which water is used at the point of grinding, and factories where men are not employed continuously at such wheels or belts more than three hours in twenty-four are exempt. The factory inspectors must enforce the act. Penalty, $100-$300. (No. 447. In effect, July 24, 1913). Exits to external fire escapes must be by means of fireproof doors. Maximum penalty, $300, imprisonment for two months, or both. (No. 190. In effect, May 20, 1913). (See also "Administration of Labor Laws", p. 360).

South Dakota.—(See "Woman's Work", p. 445).

Tennessee.—A law regulating fire-escapes on buildings two stories or more in height, was enacted, which follows in all essential details the New Jersey law of 1911. (See American Labor Legislation Review, Vol. 1, No. 3, p. 18). The chief factory inspector enforces the act. Penalty, $100, and $10 for each day's failure to comply with orders issued. (C. 40. In effect, September 27, 1913).

b. Mines

Legislation in sixteen states in 1913 on the subject of mines resulted in greater thoroughness both in protective requirements and

in methods of enforcement. Two states completely rewrote their mine codes, with many amplifications. Two states authorized rescue cars, two required employers to equip emergency rooms, and one took steps toward establishing a state mining experiment station. Some of the new laws regulated the quality of illuminants, the handling of powder, the use of machine drills, the stabling of animals underground and the care of bath houses, while others required telephone systems, automatic sprinklers, and improved ventilating apparatus. In the matter of enforcement, three states either created mine inspection staffs or reorganized and expanded existing staffs, two raised the qualifications of inspectors, and two reorganized the board of examiners before which inspectors must qualify. Three required the reporting of accidents. An interesting development, seen in two states, is that requiring inspectors to post conspicuously at the mouth of the mine statements of improvements necessary for the operatives' protection.

California.—In mines where a depth of more than 500 feet has been reached, a telephone system must be provided, with stations at each working level connected with a station at the surface. Violation constitutes a misdemeanor. (C. 368. In effect, August 10, 1913).

Colorado.—The coal mine code is extended and entirely rewritten. Besides the chief inspector of coal mines there are to be five deputy inspectors. The board of five examiners of inspectors which consisted of four miners appointed by district judges and one coal mining engineer appointed by the governor will hereafter consist of two miners and one mine owner appointed by the judges, one engineer appointed by the governor, and the chief inspector of coal mines, who may not act in examinations for his own position. The examiners hold office for four years; and salaries and expenses are allowed. The remuneration of the chief inspector of coal mines is raised from $2,500 a year and ten cents for each mile traveled to $3,000 a year and expenses. Candidates for inspectorships must in addition to the previous qualifications be citizens of Colorado, have had eight (instead of one) years' experience in the coal mines of that state, three of which must have immediately preceded their examination, and twelve (instead of five) years' experience in the coal mines of the United States. Examinations must be advertised thirty days in advance in each judicial district in which coal mines are

operated; the candidate best qualified shall be appointed chief inspector by the governor and shall from the remaining names certified appoint the five deputies, who hold office for four years, receive $2,100 annually and expenses, and must reside in the district to which they are assigned. An annual report covering number of mine employees, number of mines, days worked, extent to which the law is obeyed, improvements made, number of deaths and accidents disabling for five days or more at each mine, cause of each, output and developments at each mine, coal production and sales, compensation paid for deaths and injuries, recommendations for the complete enforcement of the act, and other matters, is required from the chief inspector, and either he or his deputies must examine every coal mine every ninety days. After each inspection a report must be filed with the chief mine inspector and three copies thereof with the owner, one of which, "showing the important recommendations shall be posted in a conspicuous place under glass cover outside the mine office where it can be read". Deputies may order any dangerously operated mine closed except for persons necessary to remove the danger, notifying the chief inspector who must inspect with two deputies; owners may apply to the courts for an injunction to restrain an inspector from holding a mine closed. The specifications for safety appliances, escapement shafts, danger signals and the like are reenacted with many amplifications, and wooden tamping bars and telephone communication are required. Requirements for maps are made more exacting, and the inspector may have maps made at owner's expense if necessary. The age limit for male employees is raised from twelve to sixteen years. Check weighmen are allowed at all mines upon majority vote of the miners, and a ton is specified as 2,000 pounds. The storage and use of illuminating and lubricating oils and explosives, electric wiring and construction, and attendants at ventilating apparatus are regulated, and veins pitching over twenty-five (instead of seventy) degrees are classified as vertical. Owners must make immediate report to the chief inspector and to the coroner of deaths occurring in or within thirty days of an accident; detailed monthly and annual reports are also called for. The chief inspector must enforce the act. Penalty, not more than $1,000, or imprisonment for one year, or both, for each day's violation of any provision. (C. 56. In effect, April 4, 1913). (See also "Hours", p. 400).

Illinois.—The term of office of the mining investigation commission is extended to the end of the 1915 legislative session and $10,000 is again appropriated for its use. (H.B. 710. In effect, July 1, 1913). An amended law requires shot firers in mines to be experienced miners and defines a "dead hole". (H.B. 708. In effect, July 1, 1913). The manager of the fire fighting and rescue stations is permitted to have two assistants at $100 a month with expenses. In case of an accident or explosion in any mine the station manager must cooperate with the mine management but at such times the directing control is taken away from the latter. The commission which supervises the fire fighting stations must be supplied with suitably furnished quarters in the state house together with necessary blanks, printing and supplies. (H.B. 706. In effect, July 1, 1913). The use of explosives in coal mines is regulated and must conform to standards established by the United States bureau of mines. Maximum penalty, $100 or imprisonment for ninety days, or both. (H.B. 707. In effect, July 1, 1913). The miners' examining board is reorganized and the county boards are disbanded, their place being taken by one board of three members for the entire state. Commissioners receive $1,500 annually. Examinations must be held in English, once a month, in at least twelve places, and no person may work at mining, nor may any person employ a miner, who does not hold a certificate of competency, except that any certified miner may have one apprentice working under him. Penalty, $100-$500, or imprisonment for thirty days to six months. (S.B. 332. In effect, July 1, 1913). Thirteen sections of the coal mines act and two sections of the fire fighting equipment act are amended, making former requirements more specific and making a few additional requirements, among which is the provision that in all mines employing over 100 men underground, and in all mines generating fire damp, the ventilating fan must be run both day and night; in mines employing from ten to 100 men underground, the fan must be run for six hours before men go into the mine for work. (H.B. 704, 705. In effect, July 1, 1913). (See also "Factories and Workshops", p. 312).

Indiana.—The coal mine law is amended to require air and escape shafts and traveling roads thereto to be separated from the hoisting shaft by at least 200 (instead of 100) feet of natural strata. Escapement stairways must be not less than two feet wide, and at an angle

of not more than fifty (instead of sixty) degrees. Stairways, landings and guard rails must be of design and strength to serve their purpose, and be kept free from obstructions; when escape and air shafts are combined they shall be separated by partitions from top to bottom. Where approaches to the escape shaft cross an air course, the air must be deflected; approaches must be kept free of cars or debris. The distance of buildings containing explosives from all other buildings is specified as not less than 300 feet. Fans may not be located directly over an escape or air shaft, and all fans hereafter installed must be capable of reversing the air current. Only those portions of the act relating to maintenance apply to escape shafts already constructed. (C. 258. In effect, April 30, 1913).

Iowa.—All gypsum mines operated by shafts or those having drift or slope openings in which five or more men are employed must be provided with at least two distinct openings, constructed according to specified details and approved in writing by the state mine inspector. One year is allowed in which to make specified outlets, and until the provisions are complied with no more than twenty men may be employed at one time; if after one year the provisions are not complied with, the mine may be closed until compliance with the law is secured. In all gypsum mines ventilation must be provided according to carefully specified details, and if an inspector finds the air insufficient or conditions unsafe he may require changes to be made within a time specified by him and if not complied with he may order out the miners until the mine is put in proper condition. Where the voice cannot be distinctly heard, speaking tubes or other means of communication must be provided; safety catches, overhead covers on cages, brakes on hoisting devices, approved safety gates at the top of shafts, springs at the top of slopes, and a trail attached to each train must be provided; engineers must qualify under the coal mine act and the mine inspector may determine the number of persons, up to ten, that may ride in the cage at one time. Fatal accidents in or around the mine must be reported within twenty-four hours to the county coroner and to the state mine inspector. Inspections must be made at least once in six months and in case of failure to comply with the provisions of the law or neglect for twenty days to comply with orders or notices, the inspector may apply to the district court for an injunction to restrain the operation of the mine except for

making repairs or the prevention of waste and in case of injury due to non-compliance with the law the operator will be held guilty of culpable negligence. Complete maps drawn at times and according to specified directions must be made and filed with the mine inspectors. Maximum penalty for operator, $500 or imprisonment for sixty days; maximum penalty for workman who knowingly interferes, obstructs or injures any safety provisions or orders, $100 or imprisonment for thirty days. (C. 198. In effect, July 4, 1913). The governor is required to appoint for a term of six years three mine inspectors who have no financial or other business connections with mining property. (C. 197. In effect, July 4, 1913).

Kansas.—A federal mine rescue car is to be housed permanently in the state and $3,500 is appropriated for the erection of a suitable building and the purchase of necessary apparatus and equipment. (C. 47. In effect, March 22, 1913). The act regulating the sale and use of black powder is limited to coal mines and the size of the package to be sold is increased from twelve and one-half pounds to twenty-five pounds, to be delivered to the miner at his switch. (C. 227. In effect, April 30, 1913). Mine operators, may, however, send into a mine, for purposes of delivery in twenty-five pound packages, more than twenty-five pounds of powder at one time. (C. 228. In effect, February 26, 1913). The time for completing certain escape shafts is extended to three years from March 1, 1913, provided that work is begun within six months after this act becomes effective. (C. 229. In effect, April 30, 1913). The law requiring bath houses to be maintained at coal mines is rewritten and made more specific. Clean seats and benches are to be maintained, the flooring in the wash room must be of concrete or cement, locker construction is regulated, and lights and heat, hot and cold water and a shower bath for every fifteen employees must be provided. Employees must furnish their own soap, towels, and lock and be responsible for the property they leave in the lockers. The state inspector of mines may use his judgment in requiring changes in bath houses already in existence. The act does not apply "to the coal mine located in counties having coal mines over 650 feet in depth". Penalty, for an employee who fails to remove cast-off clothing from the bath house or who injures the bath house or any fixtures, or who commits any nuisance, $5-$10, or imprisonment for ten to thirty days, or both. Penalty, for an employer who violates the act, $50-$100 for each day's violation. (C. 226. In effect, March 13, 1913).

Michigan.—In the new mine code the appointment of the inspector of coal mines by the commissioner of labor is made subject to approval by the governor, and the inspector must have had at least eight years' practical experience in mines during three of which he was employed in mining and loading coal, shall not be interested in a mine or connected with a miners' organization during his term, and must have resided in the state at least five years prior to appointment. His pay remains $4 per day, but his allowance for expenses is cut from $2,000 to $750 per year. He may arrest any person found violating the law or against whom there is any evidence of previous violations, and may immediately stop the operation of any dangerously or unlawfully conducted mine. He may enter mines by day or night, and must post the result of all inspections and orders at the mine entrance, besides filing them with the mine office and the mine committee, and must inspect each coal mine four times a year. He shall also inspect weights and measures used and order the correction of defects. Operators must make accurate maps of workings and surface, copies to be kept at the mine office and filed with the inspector. The state board of health is to fix standards of purity for animal or vegetable oil or other means of illumination. Penalty for selling illuminants below standard, $25-$100; for using same, $5-$25. Rules are fixed governing the use of lubricating oil, electricity, gasoline engines and explosives. Boiler and engine rooms and inflammable buildings are confined to certain parts of the surface, and upon written request of the men wash houses must be erected. The details covering the construction and equipment of escape and hoist shafts are amplified, and signals, lights and speaking tubes required. Stretchers, blankets and bandages must be supplied. Accidents causing injury to employees must be reported to the mine inspector in detail. Penalty, for violating any provision of the act, $10-$100, thirty days' imprisonment, or both. (No. 177. In effect, June 14, 1913). No employee in any iron or copper mine may be permitted or required to operate a machine drill more than 150 feet from where another person is continuously employed in the same working. Penalty, $25 for each day's violation in regard to any miner. (No. 220. In effect, June 14, 1913).

Missouri.—The bureau of mines, mining and mine inspection is changed to the bureau of mines, and the number of inspectors is increased from four to seven. The governor is to appoint for four

years at $2,000 a year a state chief mine inspector, who in turn is to appoint, with the approval of the governor, a secretary of the bureau of mines, who must be a competent draughtsman, and two coal mine inspectors and four lead, zinc and other mine inspectors, at $1,800 a year each. Inspectors must have had five years' experience in their respective fields and must not be interested in any mine. The chief and assistant inspectors receive also necessary expenses and must report to the governor on January 1, annually. (H.B. 549. In effect, March 25, 1913). Mine inspectors must conspicuously post at the top of each mine inspected a plain statement of its condition and what is necessary for the better protection of the miners. At the landing used by the men inspectors must post the number of men who may ride in the cage or cars at one time and the speed at which they may be hoisted or lowered. (H.B. 332. In effect, June 23, 1913). The placing, construction and ventilation of stables for live stock kept underground in mines are regulated. Non-combustible material is required as far as practicable. Hay or straw must be baled, and no more than two days' supply taken in at one time. Lights must be incandescent lamps safely placed, or railroad lanterns. Refuse must be promptly removed. Penalty, $100-$300, or imprisonment for six to twelve months, or both. (H.B. 333. In effect, June 23, 1913).

Nevada.—Wherever practicable a sprinkling system must be provided for chutes from which dusty ore or rock is taken, so placed that it can be operated by the workman loading cars from the chute. All ore-houses must be provided with suitable clean water for sprinkling purposes. Mines employing less than ten men, and chutes loaded in the open air, are exempt. Penalty, for failure to install a watering device, $100-$500, or imprisonment for not more than six months, or both. (C. 215. In effect, June 24, 1913). Machinery used for boring or drilling holes which raises dust must be equipped with a water-jet or spray to lay the dust, unpolluted water must be supplied, and employees must use the spray. Penalty, for either employer or employee, $100-$500, or imprisonment for not more than six months, or both. (C. 125. In effect, June 17, 1913). Passageways connecting contiguous mines must not be obstructed by doors or bulkheads unless they can be easily removed in case of accident; where doors are erected, tools for opening them must be provided. Penalty, $100-$500, or imprisonment for thirty days to six

months, or both, for each day's violation. (C. 64. In effect, March 11, 1913). No person may be employed in underground or surface workings who does not clearly speak and readily understand English, or who cannot readily read or understand signs or notices of safety rules printed in English. Penalty, $100-$500, or imprisonment for not more than six months, or both. (C. 285. In effect, January 1, 1914). The use of gas engines underground is forbidden except under carefully specified regulations and subject to approval of the state mine inspector. (C. 224. In effect, March 24, 1913). The law regulating the use of safety cages in vertical shafts is amended, and such overhead protection, gates and platforms are required as the depth of the shaft and its uses make necessary. (C. 267. In effect, March 26, 1913).

Ohio.—In approaching or working parallel with an abandoned mine, or whenever the safety of the employees makes it advisable, the chief mine inspector may require the owner, lessee or agent to provide competent shot firers for all the working places approaching the abandoned mine, the firing to be done when all other workmen are out of the mine. (H.B. 460. In effect, May 3, 1913). One fully equipped mine rescue car is authorized, in charge of an official at $1,200 per year, together with a specified number of oxygen breathing devices, resuscitating outfits, safety lamps, etc.; the car may be transferred to any part of the state where rescue or educational work makes it necessary or advisable. (S.B. 69. In effect, May 5, 1913). Regulations are established concerning the composition, gravity and labeling of illuminating oils, the labeling of parafine wax, and the use of acetylene gas. Penalty, $5-$10 for a first offense, $25-$100 for a second offense. (S.B. 38. In effect, February 24, 1913). The chief inspector of mines must have his office and records at the state house, and permit inspection of all maps and papers by owners or employers and by representatives of employees. (H.B. 70. In effect, April 16, 1913).

Oklahoma.—At coal mines employing ten or more miners, bath houses must be provided before October 1, 1913, with lockers, light, heat, hot and cold water, and shower baths. Baths and lockers for negroes must be separate from those for white workers, but may be in the same building. Employees must furnish their own soap, towels and lock for lockers, and are responsible for property left therein. Penalty, $50-$200, or imprisonment from ten to ninety

days, or both, for each week's violation. In mines employing fifteen or more men there must be installed before October 1, 1913, a protected telephone system with a station at the surface and stations throughout the mine at specified distances, with loud ringing extension bells. Penalty, $100-$500, or imprisonment from sixty days to twelve months, or both, for each week's violation. Penalty for failing to give a danger signal, giving a false signal, or tampering with any appliances required by the act, $10-$200, or imprisonment not over three months, or both. Check numbers must not be altered, placed on or removed from cars with intent to defraud another out of his wages. Maximum penalty, $100, or imprisonment for one month, or both. After January 1, 1915, the chief mine inspector and the assistant mine inspector must be thirty years of age, and must be residents of the state two years, have eight years' experience as miners, and possess certificates of competency as mine superintendents from the state mining board. The assistant mine inspector must reside in the district from which he is elected, and neither he nor the chief mine inspector may be interested in any coal, oil, gas or other mining interest. Where it is impossible for the mine foreman in person to perform his legal duties, except in surface mining, the company must hire a competent, certified assistant. Any employer or his agent or the agent of any labor organization who interferes with a fire boss or attempts by threat or promise of reward to interfere with a fire boss in the performance of his duties is subject to a penalty of $100-$500, or imprisonment thirty days to twelve months, or both. Shot firing is regulated, and a penalty of $50-$200 provided for violating the regulations after July 31, 1914. (C. 125. In effect, except as noted above, June 15, 1913). Lead, zinc, jack, gold, silver and copper mines are exempted from the law requiring persons acting as mine manager, superintendent, pit boss, hoisting engineer or fire boss to have a certificate of competency from the state mining board. (C. 90. In effect, June 15, 1913).

Pennsylvania.—The governor may appoint the dean of the school of mines of the state college, the chief of the department of mines, and a practical miner as a commission of three to cooperate with the United States bureau of mines in establishing a state mining experiment station to safeguard the lives of miners and bring about greater efficiency in the mining and mineral industries. Commissioners receive only necessary expenses. Appropriation, $25,000. (No. 775.

In effect, July 25, 1913). In addition to the room within the mine for the care of injured employees, a room identical in size and equipment must be provided at a convenient place on the surface. Minimum penalty, $100. (No. 850. In effect, July 26, 1913).

Tennessee.—Operators of coal mines must maintain at or near the mouth of any mine suitable stretchers, bandages, dressings, and medicines for the use of any injured workman. Supplies must be equivalent to those recommended by the American Red Cross Society. Penalty, $25-$100. (C. 24. In effect, October 1, 1913). Any individual or organization connected with a mine may establish a rescue station and receive state aid up to $50 a month by conforming with the following regulations: At least six men holding certificates of rescue training from the United States bureau of mines, or an equivalent training, must be employed; a specified list of mine rescue apparatus must be maintained in good repair, and a suitable place for the training of the men, including monthly drills, must be maintained. Not more than six stations may be given state aid and they are subject to the inspection, direction and approval of the chief mine inspector of the state and may be called on by him to aid in the rescue work during any mine disaster. An appropriation of $4,000 is made to carry out the provisions of the act. (C. 38. In effect, September 27, 1913).

Utah.—The law requiring the inspection of coal and hydrocarbon mines is amended to regulate the tamping of shot holes, the use of lights, blasting of coal, and the removal of gases. The former provision forbidding the use of pipes or tobacco in hydrocarbon mines is omitted. (C. 78. In effect, May 12, 1913).

West Virginia.—The state board of health must examine into and advise as to the ventilation of coal mines and how to treat promptly accidents arising from poisonous gases. (C. 24, sec. 5. In effect, May 20, 1913).

Wyoming.—Regulations governing the employment of mine- or fire-bosses are extended to include assistant mine-bosses, who must have at least five years' practical experience in coal mines, and must be at least twenty-three years of age. (C. 22. In effect, February 19, 1913). Assistant mine-bosses and gas watchmen are now required to be examined by the board of examiners for such positions but the state coal mine inspector may grant a temporary permit pending a meeting of the board. (C. 82. In effect, February 26,

1913). Each coal mine in operation within the state must be equipped with a party line telephone system, kept in working order with branches located at specified points or as approved by the state mine inspector. No penalty for violation is provided. (C. 68. In effect, June 26, 1913). Any person who changes, removes or wrongfully places any number or check on any mine car with intent to defraud another person out of the value of his work in mining and loading the contents of the car, is subject to a maximum fine of $100, or imprisonment for six months, or both fine and imprisonment. (C. 89. In effect, February 26, 1913).

c. Railroads and Streetcars

An important feature in the railroad legislation of this year is the requirement of full crews in nine states making a total of nineteen states with such laws. Other measures relate to the qualifications of trainmen, headlights on engines, covered sheds for employees on repair tracks, construction of caboose cars, keeping tracks free from obstructions, and requiring street cars to be provided with wind shields, heated vestibules, air brakes and seats for the car men. In Wisconsin, mail, express, baggage or passenger cars made principally of wood may not be used between the engine and two or more cars made of steel or similar material. In those states where railroad or public service commissions exist there is a marked tendency toward giving the commissions power to require all practical safety devices and to inspect for compliance with their rulings.

Arkansas.—Railroad companies operating yards or terminals in first and second class cities for switching, pushing or transferring cars across public crossings within city limits must provide at least one engineer, one fireman, one foreman and three helpers. Companies operating roads less than one hundred miles long are exempt. Penalty, $50 for each crew illegally operated. (Act 67. In effect, May 1, 1913).

California.—The full crew law is amended to include trains propelled by electricity or other motive power, and to increase the number of brakemen on freight trains by a scale graduated according to grade of track and number of cars. Three (instead of two) years' service as a locomotive fireman is required as alternate qualification for locomotive engineer. Gasoline motor cars operated exclusively on branch lines and electric trains of less than three

cars are exempt. (C. 168. In effect, August 10, 1913). Locomotives must be equipped with electric or other headlights sufficient to enable the engineer to observe clearly a dark object the size of an average man at a distance of 800 feet on a dark, clear night while his train is running not less than thirty miles an hour. The act does not apply to locomotives used exclusively by day, or those going to or from repair shops, or, in the discretion of the railroad commission, on short or local lines; the commission may also extend the time for compliance. Penalty, $100-$1,000, recoverable by the attorney general or the county district attorney. (C. 284. In effect, February 10, 1913).

Colorado.—Locomotives, except those employed in yard service, or running not more than sixteen miles in the state to complete a run, or used exclusively between sun-up and sun-down, or going to or returning from repair shops, must be equipped with headlights of not less than 1,200 candle power, measured without a reflector. Penalty, $100-$1,000 for every train hauled by each such locomotive. (C. 129. In effect, July 2, 1913).

Connecticut.—The public utilities commission may, after investigation, make rules and regulations for safety on passenger and freight trains. (C. 210. In effect, June 6, 1913).

Florida.—All locomotives must be equipped with headlights of not less than 1,500 candle power. Maximum penalty, $1,000, or imprisonment for twelve months. (C. 6526. In effect, October 1, 1913).

Illinois.—All railroads operated at night must maintain headlights which measured with the aid of a reflector, in clear weather, will enable the operator to discern an object the size of a man on the tracks at a distance of 800 feet; but only at a distance of 450 feet from headlights on engines in the freight service, except switching and transfer engines; and 250 feet from the headlight on engines used in switching, transfer and suburban passenger service, Penalty, $100-$500 for each offense. (S.B. 473. In effect, July 1, 1913). The number of railroad safety inspectors is increased to three, and in addition to inspection of couplers, brakes, grab irons, etc., they are given authority over other portions of cars and engines used by persons and are required to investigate surface and track conditions in train yards, sanitary conditions of cars, and train accidents resulting in injury to persons or property. Weekly

reports to the railroad and warehouse commission are required. (S.B. 687. In effect, July 1, 1913).

Indiana.—No person may operate a locomotive or act as conductor on any railroad over twenty-five miles in length, unless he shall have worked for two years, in the first case as fireman or engineer or both, or in the second case as brakeman or conductor or both. Penalty, $10-$100 for each day's violation; in addition thereto the company is liable for damages so caused. (C. 43. In effect, April 30, 1913). All water cranes or water spouts on main railroad lines must be equipped with self-locking devices to hold the cranes or spouts out of contact with passing trains. The railroad commission must approve devices. Penalty, $25 for each day's violation. (C. 93. In effect, March 6, 1913). Trains detoured upon the tracks of another line must be provided with pilot engineers familiar with the second line. Penalty, $50 for each day's violation. (C. 100. In effect, March 6, 1913). The placing of cars between locomotives when double or triple heading is forbidden, except when the auxiliary engine is used for a short distance only. Penalty, $500 for each day's violation. (C. 130. In effect, March 7, 1913). No railroad company may allow any person to fill the position of engineer, fireman, conductor, baggagemaster, brakeman or flagman unless he is regularly so employed, except in case of injury or sickness occurring between terminals. The railroad commission must enforce the act. Penalty, $50-$100, and the company is liable for any damages caused. (C. 232. In effect, April 30, 1913). Steam locomotives must be equipped with an automatic door to the fire box capable of being opened by pressure of the fireman's foot at a suitable distance. Penalty, $100-$500 for each day's violation. (C. 235. In effect, December 1, 1914). Railroad companies may employ no engineer, fireman, engine foreman or hostler, engine watcher or trainman unless he is able to write, read and speak, hear and understand the English language, and hear, see and understand the necessary signals. Penalty, $100-$200 for each day's violation. (C. 274. In effect, March 15, 1913). Locomotives must be so constructed that the engineer and fireman shall be in plain view of each other, and the railroad commission may also require a clear view ahead for both engineer and fireman, a level floor to work upon, and in switch engines a clear view to the rear. Whenever any locomotive is rebuilt it shall be rebuilt in accordance with these provisions.

The railroad commission is to enforce the law but "may relieve any company from compliance" with it. Penalty, $100-$500 for each violation. (C. 291. In effect, April 30, 1913). The law requiring the railroad commission to call an annual convention of railroad officers and employees to consider accident prevention is amended to allow the convention to be called "once a year, or at such times as the commission may decide". (C. 296. In effect, April 30, 1913). The powers of the railroad commission are transferred to the newly created public service commission composed of five members, not more than three of whom are to be from the same political party, to be appointed by the governor for four years, and removable by him. (C. 76, sec. 2. In effect, April 30, 1913).

Iowa.—Cabs on all locomotive engines must be equipped, between November 1 and April 1 of each year, with frost glass at least eight inches wide and eighteen inches long, placed on each side of the cab in front of the seat of the engineer and fireman; seventy-two hours is allowed to repair or replace a broken glass. Penalty, $50-$100 for each day's offense. (C. 167. In effect, July 4, 1913). Locomotives, power vehicles, or other equipment used in the place of a locomotive must be equipped with headlights which, when measured with a reflector, will enable the operator plainly to discern in clear weather an object the size of a man lying on the track 1,100 feet from the headlight. Ten per cent of all such locomotives must be so equipped within ninety days after July 4, 1913, and an additional 10 per cent every thirty days thereafter, until all locomotives are so equipped. Street cars within city limits, switching engines, engines running in the day time, and engines on lines within the state, under twenty miles in length, are exempt. Penalty, $100-$500 for each offense except where a disabled headlight was in good condition at the beginning of a trip. (Cs. 171, 172. In effect, July 4, 1913).

Kansas.—Sheds, which are required for the protection of workmen on repair or construction work on railroads, must now be entirely enclosed, except in cases of temporary repairs made at places other than regular shops. (C. 256. In effect, April 30, 1913). Switch lights must be maintained on all switch stands on main railroad lines regularly operated by night, except where automatic block signals which answer the same purpose are used. Penalty, $100-$500 for each offense. Penalty for tampering with any switch stand or light, $300-$1,000 and in case death or great bodily injury

results, imprisonment at hard labor for one to twenty-five years. (C. 253. In effect, March 19, 1913). Trains detoured to the tracks of another line must be provided with a competent pilot familiar with the rules and conditions of the second line. Penalty, $100-$500 for each offense. (C. 254. In effect, April 30, 1913).

Louisiana.—Railroad frogs and crossings except on logging and plantation roads must be adjusted, filled or blocked to prevent the wedging of employees' feet in the angles. Penalty, $50-$100. (No. 177. In effect, January 1, 1913). Street railroad cars must be provided with substantial seats on each platform for the operator and conductor, who must be allowed to use them outside of business districts. (No. 20. In effect, July 16, 1912).

Maine.—Common carriers on standard gauge railroads subject to the regulative power of the state are forbidden to use caboose cars that are not at least twenty-nine feet in length exclusive of platforms, and equipped with two four-wheeled trucks; the cars must be of constructive strength of at least twenty ton capacity freight cars built according to master car builder standards, and must be provided with an outside platform across each end of not less than twenty-four inches' width, equipped with proper guard rails, grab irons and safe steps. Caboose cars must be of standard height with cupola and necessary closets and windows. Certain lines of the Maine Central Railroad and roads operating less than twenty miles of single track are exempt. Requirements must be complied with by July 1, 1914, but the state railroad commission may extend the time not more than one year. Penalty, $100-$500 for each offense. Enforcement on complaint or by indictment. (C. 185. In effect, July 11, 1914).

Massachusetts.—In addition to certain specified safety devices, street railway companies must equip their cars with "other safety devices", as the board of railroad commissioners may require. (C. 357. In effect, March 26, 1913).

Michigan.—Locomotives except those used exclusively in yard service must be equipped with headlights sufficient to render visible, 300 feet in advance, whistling posts, land marks and other warning signs. Thirty per cent of the locomotives must be so equipped by March 1, 1914, and the remainder by July 1, 1914. The state railroad commission may order any locomotive found with a defective headlight withdrawn from service until repaired. Should a head-

light become defective while in use, it is no violation to continue the locomotive to its destination. The prosecuting attorney in the circuit court having jurisdiction must bring suit upon properly verified information. Penalty, $100. (C. 77. In effect, June 14, 1913).

Minnesota.—Common carriers must keep the space between or beside tracks ordinarily used by employees free from any obstruction that will subject the employees to any unnecessary hazard either during the day or night or in any kind of weather. Any work or enterprise which is already in course of construction is exempt. (C. 448. In effect, April 23, 1913). All locomotive engines must be equipped with a headlight of at least 1,500 candle power measured without the aid of a reflector, except engines on branch lines less than twenty-four miles long, on logging roads not over sixty miles long, in switching cars or trains and on engines used exclusively in the day time or those being taken to or from repair shops. But engines regularly used in switching cars must be equipped with a headlight of at least fifty candle power measured without the aid of a reflector. Penalty, $25-$100, and the use of each locomotive for each day is a separate offense. (C. 93. In effect, January 1, 1914). The law requiring railroads to maintain a clearance around their tracks and modifying the defenses of assumption of risk and contributory negligence in case of injury, is similar to that of North Dakota, subject to the exception in C. 448, above. (See p. 341). Penalty, $500 for each day's violation. (C. 307. In effect, April 16, 1913).

Montana.—The railroad commissioners must inquire concerning the observance by the railroads of the safety laws, both state and federal, and must prosecute any violation and make a report upon their work. (C. 115. In effect, March 17, 1913). After November 1, 1913, streetcars must be equipped from November to March with heated vestibules. Penalty, $10 per car for each day's violation. (C. 44. In effect, March 1, 1913). After the same date open or summer cars must be equipped with suitable wind shields extending completely across the front of the car to protect employees from exposure to inclemencies of the weather. Penalty, $50-$100 for each day's offense. (C. 104. In effect, March 15, 1913).

Nebraska.—All light engines running from one division to another outside of yard limits, must be manned by one engineer, one fireman

and one conductor. The state railway commission shall enforce these provisions. Penalty remains unchanged. (C. 50. In effect, July 17, 1913). Stands to all switches leading from the main tracks of any railroad on which trains are generally operated at night, except lines fully equipped with automatic block signals, must be equipped with proper lights which shall be kept burning between sundown and sunrise and in time of excessive fog. Maximum penalty, $5. (C. 81. In effect, July 17, 1913). Locomotives must have headlights of a power that will plainly outline the figure of a man on or adjacent to the track 600 feet in front of the locomotive under ordinary night conditions. The act does not apply to locomotives running not more than ten miles into the state to complete a run, nor to locomotives used in regular switching service, nor to those used exclusively between sunrise and sunset or going to or returning from repair shops. Penalty, $100-$500 for each illegal operation of one engine for any part of one day. (C. 160. In effect, January 1, 1914).

Nevada.—Locomotive engines must be equipped with headlights of at least 1,500 candle power measured without the aid of a reflector; and engines backing up at night must display the headlight in the direction the engine is moving. The act does not apply to railroads not maintaining a regular night schedule, nor to switching engines, nor to engines going to or from repair shops. Penalty, $100-$1,000 for each offense. (C. 32. In effect, January 1, 1914). Freight or passenger trains, run outside of yard limits, consisting of two cars or less, exclusive of a caboose, engine or tender, must be equipped with a crew of at least one engineer, one fireman, one conductor and one brakeman; where there are three but less than fifty cars, a flagman must be added to the above crew; and where there are more than fifty cars, there must be an additional brakeman, making a full crew of six men; flagmen must have had one year's actual experience in train service. The act does not apply to roads less than ninety-five miles long, nor to the operation of light engines or tenders running as such outside of yard limits. Penalty, $500 for each offense. Actions or prosecutions begun under the earlier full crew laws are not affected by the repeal of those laws. (C. 74. In effect, March 12, 1913).

New Hampshire.—It is unlawful to "build, construct, purchase or operate" any caboose car or other car used for like purposes unless

it is equipped with two four-wheel trucks; cars in use on April 1, 1913, are exempt. Penalty, $100-$500 for each offense. (C. 116. In effect, May 15, 1913).

New Jersey.—Railroad trains must be properly manned, as follows: Freight trains of more than thirty cars exclusive of caboose and locomotives, six persons—an engineman, a fireman, a conductor, a flagman, two brakeman; freight trains of less than thirty cars, the same, less one brakeman. Steam passenger trains with three coaches and a baggage car, five persons—an engineman, a fireman, a conductor, a flagman, a baggageman; with four or more coaches and a baggage car, the same, with a brakeman added; with four or more passenger, express or mail cars, same as last, less the baggageman. Electric passenger trains with three coaches and a baggage car, four perons—a motorman "or motorneer", a conductor, a flagman, a baggageman; with four or more coaches and a baggage car, the same, with a brakeman or guard added. More men than specified may be employed. Trains of mail or express cars must have the rear end of the rear car free from obstruction, with a platform thirty inches wide, guard rails and steps, and must have heating appliances to maintain a temperature of sixty-five degrees. The act does not apply to passenger trains of three or less cars, or to trains owned or operated by manufacturers, made up of table trucks or loaded with hot metal ladles, ingots or slag. Penalty, $100 and costs for each violation. (C. 190. In effect, May 1, 1913).

New York.—The construction, size and strength of caboose cars is regulated and specified, provisions for safety are given in regard to platforms, steps, guard rails and cupolas; doors, sleeping berths, toilet rooms, ice boxes, water coolers and clothing lockers are required. All cabooses must be made to conform to these regulations by July 1, 1920, but if any such car now in use is sent into the shop for general repairs it must be equipped as provided in this act. Caboose cars used in the switching service and those on trains operated wholly within twenty-five miles of yard limits are exempt. Penalty, $100-$500 for each offense, in addition to the penalty provided in the railroad law. (C. 497. In effect, May 14, 1913). Railroads more than fifty miles in length are forbidden to operate without a full crew defined as follows: on freight trains with more than twenty-five cars, one engineer, one fireman, one conductor and three brakemen (but if there are twenty-five cars, or less, only two

brakemen); on light engines without a car, one engineer, one fireman, and one conductor or brakeman; on any train except freight trains of five cars or more, one engineer, one fireman, one conductor and two brakemen, and on baggage trains or passenger trains with a baggage car, one baggageman in addition to above crew. Penalty, $100-$500 for each offense. (C. 146. In effect, September 1, 1913).

North Carolina.—Sheds with proper roofs must be provided over repair tracks for employees permanently employed in the construction and repair of cars, trucks or other railroad equipment. The corporation commission may determine the character of the sheds and where they must be erected but must first hold a public hearing on the subject. Penalty, $100-$500 for each day's violation. Cs. 65, 117. In effect, December 1, 1913).

North Dakota.—After January 1, 1915, all common carriers must maintain engines and cars according to specified dimensions and must maintain a clearance of at least eight feet measured from the center of the track. The height of bridges, viaducts or overhead wires and the distance between tracks are regulated; all obstructions which might endanger employees must be removed, and a complete record of all existing obstructions or structures which do not conform to the new requirements must be made to the railroad commission. Penalty, $100 for each day's violation. Any employee injured in the course of duty because of any violation of this act shall not be deemed to have assumed the risk of his employment, nor to have been guilty of contributory negligence although the violation had been called to his attention. (C. 230. In effect, January 1, 1915). Common carriers or their agents or employees are forbidden to operate any locomotive, except for switching purposes, which is not equipped with a headlight of at least 1,200 candle power measured without the aid of a reflector. Penalty, $100 for each violation. (C. 233. In effect, July 1, 1914).

Ohio.—Switching trains must be manned with a full crew consisting of at least one engineer, one fireman, one conductor and two helpers; no employee may be detailed to more than one engine at the same time or be put to any other service unless his place is filled by another competent employee, except that in case of sudden disability of a member of the crew through sickness, accident or death, the employer shall have three hours at terminals and six hours at outlying points in which to replace such member and the

engine may be operated short handed during this time. Penalty for common carriers, $100-$5,000. Penalty for any employee having authority over the movement of engines, who knowingly permits a violation, $300 or imprisonment for not more than eighteen months, or both. (H.B. 35. In effect, July 25, 1913). After July 1, 1919, caboose cars must be at least twenty-four feet in length exclusive of platforms, equipped with two four-wheeled trucks and with closets and cupolas. Any car now in use brought in for general repair must be equipped as stated above before it is again sent into service. After July 1, 1914, and each year thereafter, 15 per cent of all caboose cars must be equipped as provided in this act, but the public service commission may extend the time for compliance up to one year. Penalty, $100-$500 for each offense. (S.B. 298. In effect, August 8, 1913). The amended law providing for safety on railroads requires locomotives to be equipped with sill-steps on each side of the pilot; cars, in addition to sill-steps, must have efficient hand-brakes and, where necessary, secure running-boards and ladders with hand-holds or grab-irons at the top. In hauling or loading long commodities requiring more than one car, the hand-brakes may be omitted on all cars except one; in all other cases, 75 per cent of cars on any train must have hand-brakes. The public service commission instead of the railroad commission is to furnish information to the prosecuting attorney. (H.B. 111. In effect, June 18, 1913). The administration of the safety appliances law is given to the public service commission; information concerning defective appliances, or the absence of appliances, on vehicles in interstate commerce must be given, under oath, to the United States district attorney and must also be reported to the interstate commerce commission and a copy filed with the Ohio commission. Any railroad failing to comply with an order to put a defective car out of service is subject to a penalty of $25 for each day's violation, in addition to the $100 fine prescribed in the general code. (H.B. 145. In effect, July 25, 1913).

Oregon.—Any passenger, mail or express train on steam railroads with four or more cars running over fifteen continuous miles of road, must maintain a full crew consisting of at least one engineer, one fireman, one conductor, one brakeman and one flagman who has had at least six months' train service experience, and none of the crew may perform the duties of train baggageman or express

messenger. Freight trains of forty or more cars and all main line local freight trains must have an additional brakeman. Light engines operated outside of yard limits, except helper engines within helper districts, must be provided with one engineer, one fireman and one pilot. Penalty, $20-$100 for each offense. (C. 162. In effect, June 2, 1913). Every railroad company operating more than fifty miles of track must maintain on every locomotive, power car or vehicle or equipment used in place of locomotive, when operated at night, an electric headlight which measured with a reflector will enable the operator to see an object the size of a man at a distance of not less than 800 feet. Gas or gasoline motorcars,and switching engines in the railroad yard are excepted. Penalty, $100-$500 for each offense; and liability for all damages resulting in whole or in part from a violation. (C. 80. In effect, June 2, 1913).

Texas.—Railroads, machine shops, or other concerns engaged in manufacturing or repairing cars must equip tracks with derailing devices provided with private locks which must be kept locked when tracks are in use. Penalty, $50-$200 for each day's violation. (C. 158. In effect, July 1, 1913).

Vermont.—Any railroad corporation operating its road by electricity must equip all passenger cars on double trucks with "good and sufficient" air-brakes. Any corporation operating suburban cars by electricity must provide proper stools for the use of the motormen. Penalty for failure to provide air-brakes, $10 for each day's violation. (No. 159. In effect, July 1, 1913). The public service commission may after notice and hearing order proper headlights and cab lights on any railroad in the state. Penalty, $25-$100 for each day's violation. (No. 160. In effect, July 1, 1913).

Wisconsin.—Railroad companies must not cause or permit any mail car, mail-apartment, express, baggage or passenger car constructed principally of wood to be used between the engine and two or more steel cars or other cars of substantially the same weight in any train run wholly between points in the state. Upon application the railroad commission may extend the time of the act's becoming effective. Penalty, $200-$2,000. (C. 630. In effect, January 1, 1914). Railroads must not establish, enforce or permit unreasonable conditions affecting switching crews or require or permit such crews to consist of less than a reasonable number of employees, standards in both cases to be determined by the rail-

road commission. Penalty, $50-$500. (C. 63. In effect, April 14, 1913). Passenger or freight trains must be equipped with at least one medical emergency case containing "two gauze bandages and two triangular pieces of gauze eighteen inches wide, and one pound of absorbent cotton". Penalty for failure so to equip, or for removing or destroying equipment, $25-$100. (C. 469. In effect, June 17, 1913).

d. Building Construction

In only four states was legislation adopted to promote the safety of workers in building construction. Scaffolding and hoists were regulated in California and Colorado, and in the latter state rules were adopted on the laying of floors. Ohio continued its committee which is working on a building code.

California.—Scaffolding suspended from an overhead support which is more than twenty feet from the ground or floor must have a safety rail rising thirty-four inches above the floor of the scaffolding along the entire length and ends. The rail must be of wood or equally rigid material able to bear a sudden strain of four times the weight of an ordinary man. The scaffolding must be of adequate strength and fastened to prevent swaying from the building. Hooks and hangers must be tied back on the roof of the building, and safety lines must be suspended at each end of and between each two hangers of each scaffold. Scaffold planks must be sound and at least fourteen inches wide and one and one-half inches thick, and not more than two men may be allowed at work between any two hangers. The commissioner of the bureau of labor statistics must enforce the act. Violation is a misdemeanor. (C. 48. In effect, August 10, 1913). Power hoists in buildings in course of construction must have a system for signaling to the person controlling the hoist. In buildings fifty feet high or less, and in buildings over fifty feet high in which the person operating the hoist has a clear view of its base, one person must be stationed to give signals; in other buildings there must be a person at both top and bottom of the hoist. The commissioner of the bureau of labor statistics must enforce the act, ordering any defective apparatus out of use until remedied. Penalty, $50-$500, imprisonment for thirty days to six months, or both. (C. 275. In effect, August 10, 1913).

Colorado.—Scaffolding, ladders, hoists, etc., used in building

erection, repairing, alteration or painting must be safe. Swinging stages over twenty feet from the ground must have a safety rail at least thirty-four inches high and running along the outside and ends, and must be fastened to prevent swaying from the structure. Scaffolding must be capable of bearing four times the maximum weight it is subjected to and not more than four men are allowed on any swinging scaffold. In buildings in cities, if the floors are to be arched or filled in with fireproofing or brick, floors must be completed to within three stories below where the iron work is being erected; otherwise the underflooring must be laid to within two stories below. If the floor beams are iron or steel, the entire tier of beams on which the steel work is being erected must be planked over, except places reasonably required for construction, for hoisting material, or for stairways and elevator shafts. Floor openings for hoisting machines must be fenced in at least eight feet high on all sides but two, where there must be an adjustable barrier from three to four feet high from the floor and not less than two feet from the edge of the opening. No timber for a building five or more stories in height may be hoisted outside the building. The building inspector must enforce all provisions of the law, and shall have free access to buildings at all reasonable hours. Upon complaint he must investigate and order all unsafe apparatus out of use till remedied. He is to present all evidence of violation of orders to the district attorney, who must prosecute. Penalty, $50-$500 for each offense. (C. 122. In effect, August 6, 1913).

New York.—The building construction law is amended to omit the requirements that flooring or filling must be completed to within not less than three tiers of beams below the one on which iron work is being erected, and that under-flooring must be laid to within not less than two stories below the one to which the building has been erected; but such work must be completed "as the building progresses". All contractors, instead of only those for carpenter work, are required to lay under-flooring; and iron or steel beams must be planked over for not less than six feet beyond the beams on the tier where structural iron or steel work is being done. Penalty, see p. 359. (C. 492. In effect, May 14, 1913).

Ohio.—The committee appointed in 1910 to prepare a code of regulations to govern the erection and maintenance of public and other buildings, is continued with an appropriation of $4,000. (S.B. 258. In effect, August 8, 1913).

e. Miscellaneous Industries

A number of states enacted laws to protect workmen in industries other than those treated in the foregoing sections. California and New Jersey guarded against accidents to dock workers, Massachusetts established a board to provide for safety on elevators, and New York amended its elevator construction law and also its unique law for the protection of men in caissons. Four states legislated on boiler inspection and the licensing of engineers, and two states established safeguards for electrical workers. Illinois required automobile hoods and shields for commercial chauffeurs, while a federal law requires full crews on vessels.

California.—A hatch-tender over the age of twenty-one must be employed to give warnings of danger during the loading or unloading of ships of fifty tons' burden or greater. Violation is a misdemeanor. (C. 290. In effect, August 10, 1913). Employers are forbidden to supply their employees with wiping rags made from soiled or used wearing apparel, underclothing or bedding or any soiled rags which have not been made into flat pieces and sterilized by boiling for forty minutes in a solution containing 5 per cent of caustic soda; cleaning or washing soiled wiping rags in the same building or by the same machinery that is used for washing articles for household or personal use is also forbidden. Peace or health officers are authorized to inspect factories, yards, ships, or any premises where wiping rags are used, and local authorities may regulate the matter by licensing the business of selling or laundering such rags; every package before offered for sale, must be marked "sterilized wiping rags" and must bear the date of the license with the name of the issuing authority, or with the name and location of the laundry doing the work of sterilizing. Violation is a misdemeanor. (C. 81. In effect, August 10, 1913).

Illinois.—The public utilities commission has power after investigation and hearing to make rules and regulations for the safety of employees and of the public, and may require the installation of appropriate safety devices. (H.B. 907, sec. 57. In effect, January 1, 1914). Automobiles or trucks used for delivery of merchandise, produce or freight must be equipped with shields and hoods for the protection of the chauffeurs. Penalty, $10-$50 for every day's violation and for each car operated illegally. (H.B. 287. In effect, July 1, 1913).

Indiana.—Counterweighting of scenery in public theatres must be done with incombustible weights on steel cables. Penalty, $25-$50. (C. 230. In effect, April 30, 1913). Steam boilers in industrial institutions subject to inspection by the state bureau of inspection must be equipped with a full complement of gauge cocks, water gauge, fusible plug and safety valve. Boilers must be inspected by competent persons once in six months. Rules are laid down for boiler construction, equipment and installation. (C. 301. In effect, March 15, 1913).

Massachusetts.—Stationary engineers or firemen may not be given a special license to operate an engine of over 150 horse power. (C. 209. In effect, March 30, 1913). The installation or alteration of all elevators is placed under the supervision of the inspectors of the building inspection department of the district police; owners or manufacturers must file plans and specifications of all elevators or of proposed alterations and must secure from the inspector a certificate of approval. Inspections and tests must be made at least once a year. A board of elevator regulations is created, consisting of seven members: a consulting engineer, a building inspector, the building commissioner of Boston, a building inspector from some other city, a representative of the insurance companies, a representative of the elevator manufacturers, and an experienced elevator constructor. The board shall make rules on any factor entering into elevator safety, which become law upon the approval of the governor and the council; provision is made for proper hearings and appeals. Maximum penalty for failure to comply with the act or with any regulation established by the board, $500 for every offense. (C. 806. Appointment of board, in effect, June 16, 1913; other provisions take effect thirty days after regulations of the board are approved by the governor and the council.) (See also "Accidents and Diseases—Reporting", p. 304).

Missouri.—The public service commission after a hearing upon its own motion or complaint may issue orders requiring public utilities to maintain and operate their lines and plants so as to safeguard the health and safety of their employees, by the installation of appropriate safety devices and otherwise. Penalty for a public utility violating an order of the commission $100-$2,000. Maximum penalty for an officer, agent or employee violating or procuring the violation of an order, $1,000, imprisonment for one year, or both. (S.B. 1, secs. 116, 130, 131. In effect, April 15, 1913).

New Jersey.—Detailed specifications are made for elevators in factories, including construction, enclosing, cables, counterweighting, clearance way, and other points. In addition, elevators operated by a hand rope must have safety cable locks at each floor. There must be trap doors in all cars for the egress of passengers, shaft gates must be semi-automatic or automatic, and those in passenger shafts must be controllable only by the operator of the car. Plans for new installation or alteration must be approved by the commissioner of labor, and the completed equipment must not be operated without his certificate. The commissioner may prohibit the operation of any hazardous elevator until it is made to comply with the rules. Penalty for having in any factory an elevator that violates the act, $50 for the first offense, and $200 for each three months' continuance after the first conviction. Penalty for operating an elevator in violation of an order of the department of labor, $200 for each offense. (C. 183. In effect, July 4, 1913). At least one ladder of wood, rope, iron or cast steel, sufficient to bear a weight of 600 pounds, must be provided for the passage of dock workers to each vessel fastened to a dock. Penalty, $100 for each offense. (C. 47. In effect, February 27, 1913). The commissioner of labor must establish in his department a steam engine and boiler operators' license bureau. The three members must be approved by the civil service commission, and must be citizens of the state who have been for ten years engineers in charge of a steam plant of not less than 250 horse power, or inspectors for a steam engine and boiler insurance company doing business within the state. The bureau must, for a fee not to exceed $2, examine and license engineers and firemen of stationary and portable steam boilers and engines, and prevent the use of such boilers and engines unless the person in charge has a license. The license may be revoked or suspended by the commissioner for ignorance, neglect or intoxication upon duty, but only after notice and hearing and rehearing before the bureau. Emergencies of not longer than thirty days are exempt upon notice to the bureau, and the act does not apply to boilers under control of the United States government, in use in railroad locomotives, road vehicles, or by public fire departments, or to those used exclusively for heating which do not carry a pressure of more than ten pounds to the square inch. Members of the bureau are appointed for three years, and receive $1,200 annually. (C. 363. In effect, July 4, 1913).

New York.—The law regulating work in caissons or tunnels where compressed air is used is amended to shorten the work periods as the air pressure increases, and to require a medical lock only where work is done in an atmosphere of more than seventeen pounds' pressure. When the bottom of the excavation is more than nine feet below the deck of the working chamber, a shield must be erected for the protection of the workmen; the entire length of all shafts must be provided with a safe ladder; lights if not electric must be guarded; and passage ways must be kept clean and well lighted. Penalty, see p. 359. (C. 528. In effect, May 15, 1913). Any building which has installed a switch-board of 220 volts or over, must place before it a rubber mat the length of the switch-board and wide enough to allow the operator, or person making tests, space to stand and walk thereon. Penalty, see p. 359. (C. 543. In effect, May 15, 1913). Insurance companies must report to the state fire marshal all boilers used for generating steam and carrying pressure of ten pounds or more to the square inch, which are insured by them, and also boilers which are rejected, together with the reasons for rejection. The owner or lessee of a boiler must pay his inspection fee of $5 within thirty days from the date of inspection, and if he permits the use of a boiler after it has been declared unsafe, or if it has not been numbered as required by the state fire marshal, he is subject to a maximum fine of $5 a day for each day the boiler is used; he must also notify the proper authority of the location of each boiler. Cities where boilers are under a local inspection law or ordinance, are exempt. Section 91 of the labor law which requires the commissioner of labor to approve the inspection of boilers is repealed. (C. 523. In effect, May 15, 1913). The former law providing for safety on elevators and hoisting shafts is rewritten and made more specific. In factory buildings already erected, all shafts must be protected by vertical enclosures on every side, at each floor, including the basement. All openings must be provided with self-closing gates not less than six feet high or with properly constructed closing doors. Enclosures around elevators carrying passengers or employees must be flush with the hatchway, and in every open side of the car they must extend from floor to ceiling and be free from fixed obstructions; on every other side enclosures must be at least six feet high. Enclosures around freight elevators must be flush with the hoistway on every open side of the car. In place of

enclosures, hatchways may be substituted with trap doors so constructed as to form a substantial floor surface when closed and to open and close by the action of the car in passing up and down; but in addition a verticle enclosure at least three feet high must be provided on all sides at all floors. Counterweights on all elevators must be protected by proper enclosures at the top and bottom of the run. Cars for passengers or employees must be properly lighted and substantially enclosed on all sides including the top. The tops of freight elevators or platforms also must be provided with substantial coverings when required by the industrial board. In factory buildings hereafter erected every elevator or part thereof, all machinery connected therewith, all hoistways, hatchways or well-holes and all enclosures, gates or doors, must be kept in good repair and in a condition safe for all persons using the same, and openings must be well lighted. The industrial board may make rules and regulations to carry out the purposes of the act. Penalty, see p. 359. (C. 202. In effect, October 1, 1913).

Ohio.—The boiler inspection law is amended to require, after July 1, 1913, all boilers to be inspected during construction and certified to by the board of boiler rules before installation; the fee is $10 and boiler manufacturers outside the state must pay in addition traveling and hotel expenses of an inspector. The fee for regular inspections is increased to $1 and a certificate of inspection is good for one year only. Boilers on railroad locomotives subject to federal laws are exempt. Penalty, $20-$500. (S.B. 153. In effect, August 8, 1913).

Pennsylvania.—Licensing of engineers in charge of steam-boilers, steam-engines and appliances connected therewith is made compulsory instead of optional for cities of the second and third class. (No. 152. In effect, July 1, 1913).

Washington.—Electrical equipment must be sufficiently insulated and guarded. Generators, motors and switchboards carrying over 300 volts must be provided with an insulated platform. When lines of 750 volts or over are cut out to allow of work on them, they must be short circuited and grounded as prescribed, and red warning cards not less than 2¼ by 4½ inches hung on the switches. Manholes in which work is done which contain any wire carrying over 300 volts must be at least six feet high and wide inside and must not open within three feet of a railroad or car track. They must be kept free of offensive or injurious drainage while work is going on.

No work shall be done in them by less than two competent men, who must work together. Exceptions are made in the case of manholes already constructed, or where it is impracticable or impossible to comply, or where only one competent man is regularly employed and another cannot without delay be secured at the prevailing rate of pay. Many other details are prescribed, and appliances must be changed to conform to the act within five years. The public service commission must enforce the act, and has power, upon notice and hearing, to order necessary changes before the time set, and to issue additional requirements. A copy of the act must be kept posted in all electric plants, stations and storerooms. Penalty, for any public service company or political subdivision of the state which fails to comply, not to exceed $1,000 for each day's continuance of a violation. Every officer, agent or employee of any public service company, the state or any political subdivision thereof who fails to comply or procures or abets a failure to comply, is guilty of a gross misdemeanor. (C. 130. In effect, June 13, 1913).

United States.—Vessels subject to the inspection laws of the United States must not be navigated without sufficient licensed officers and crew for safe navigation, as determined by the local inspectors. A deficiency is allowed under certain conditions if explained in writing within twelve hours of arrival at destination. Penalty, for deficiency of men, $100; for deficiency of officers, $500; for failure to explain deficiency, $50. No person may permit an officer to take charge of the deck watch upon or immediately after leaving port unless such officer shall have had at least six hours off duty in the twelve hours immediately preceding; and no licensed officer shall be required to do duty to exceed nine hours in any twenty-four while in port, or more than twelve hours in any twenty-four at sea, except in case of emergency. Penalty, $100. (Public 420, 62nd Congress, 3rd session. In effect, March 3, 1913).

ADMINISTRATION OF LABOR LAWS

The wide-spread conviction that complete reorganization of methods of enforcement is necessary in order to secure the efficient enforcement of labor laws has led to sweeping changes in many states. This year saw a rapid extension of the principle of enforcement through administrative orders, the main principle or requirement being determined by the legislature, and the application of the principle being carried out by a board or commission. The Massachusetts board of boiler rules, created in 1907, was the leader in this kind of labor legislation in this country, although the method is common in the most important European countries. This was followed in 1911 by the creation of the Wisconsin industrial commission with jurisdiction over trade disputes, workmen's compensation, unemployment, and also over the health, safety and wellbeing of workers in all industrial employments. This year the Wisconsin plan was adopted in Ohio, was followed in a modified form in Massachusetts, and was applied to the protection of "life and health" in California. Commissions of three or five were created in Oregon and California to regulate hours, wages and conditions of work of women and children, and in Washington, Nebraska, Colorado, and Minnesota, to regulate wages and conditions of work. In New York and Pennsylvania departments were reorganized and enlarged with the administrative order feature included. New state departments on the plan of the older method of administration were created in Arkansas, Montana and Vermont, special inspectors for children's and women's work were authorized in Delaware and Florida, and existing departments were reorganized or enlarged in nearly a dozen additional states. The desire to avoid the delays of court procedure, and to secure concentration of administration, led this year to the establishment of boards or commissions to administer the workmen's compensation acts in Illinois, Nevada, Oregon, Texas, and West Virginia. Similar boards had formerly been created in California, Massachusetts, Michigan, Ohio, Washington and Wisconsin. To the five states now requiring civil service examinations for state employees, Connecticut and Minnesota are this year added.

Arkansas.—A bureau of labor and statistics is created, with a commissioner at a salary of $2,000 a year and a clerk at $100 a

month, and $1,500 for contingent expenses. The commissioner is to gather and report upon the usual industrial statistics. He may enter workplaces where five or more are employed if he cannot otherwise secure the required information or if two persons complain to him in writing, and he may investigate the operation of the safety laws and must report to the districty attorney all violations. The commissioner is also authorized to "offer his good offices" in case of any trade dispute. Maximum penalty, for an employer who fails to report statistics, $100 or thirty days' imprisonment. (Act 322. In effect, April 2, 1913).

California.—The industrial accident board is abolished and all its duties, liabilities and powers are transferred to the industrial accident commission. (C. 561. In effect, August 10, 1913). Under a similar law to that which created the Wisconsin industrial commission[1] the California commission is required to make rules and regulations for the protection of the "life and safety" of employees. (C. 176, secs. 51-92. In effect, January 1, 1914). All moneys paid into the accident prevention fund are to be used by the commission for the enforcement of the safety laws. (C. 178. In effect, August 10, 1913). The commissioner of labor is relieved of the duty of compiling statistics of marriage, divorce and crime. (C. 215. In effect, August 10, 1913). The commissioner of labor is authorized to appoint an attorney at a salary of $2,400 a year. (C. 227. In effect, August 10, 1913). Owners of factories, mills, workshops or other manufacturing establishments, where five or more persons are employed must before January 1, 1914, register their establishments with the bureau of labor statistics and give the name of the owner, name of the business, location, address of the principal place of business, and such other information as the commissioner may require. A change of address must be registered within thirty days. Penalty, $25-$200, or imprisonment for not more than sixty days, or both. (C. 255. In effect, August 10, 1913). (See also, "The Minimum Wage", p. 434, and "Immigration", p. 404).

Connecticut.—The number of factory inspectors is increased to eight, two of whom must be women, and the total amount appropriated is increased from $9,000 to $18,000 a year. The inspector and his deputies are authorized to lodge complaints of violations

[1] See American Labor Legislation Review, Vol. I, No. 3, p. 67.

with any prosecuting attorney, and in case of refusal to prosecute the complaint may be taken to the proper judge who may order the prosecuting attorney, under penalty of $25 fine, to issue a warrant for the offender. (C. 131. In effect, May 28, 1913). In all bakeshops, confectionery and ice-cream factories and those for the preparation of food-stuffs, tobacco and cigars, the factory inspectors may require any employee suspected of having tuberculosis to be examined by a physician. The inspectors must post such notices as the tuberculosis commission may require. (C. 183, secs. 14, 15. In effect, June 6, 1913).

Delaware.—One factory inspector to enforce the woman's ten-hour law, is authorized for two years at a salary of $1,000. (C. 175. In effect, July 1, 1913). The newly created child labor commission is to appoint a state child labor inspector for two years, at an annual salary of $1,800 and $300 expenses, to enforce the child labor law. (C. 176. In effect, January 1, 1914).

Florida.—The office of state labor inspector is created, to be filled by any capable person, male or female, appointed by the governor for four years. The inspector is to receive $1,200 annually and necessary expenses, and is to have entire charge of enforcing the child labor law. (C. 6488, secs. 21 and 22. In effect, January 1, 1914).

Georgia.—The positions of stenographer and clerk in the department of commerce and labor are united and the salary is increased to $1,500; the allowance for incidental expenses is increased from $900 to $1,800 per year. (No. 264, P. L. In effect, August 21, 1913).

Indiana.—The chief of the bureau of statistics is to be elected every four years beginning 1916, instead of being appointed by the governor biennially, as heretofore. (C. 175. In effect, April 30, 1913). The salary of assistant deputy inspectors is increased from $1,200 to $1,500 per year, and the deputy inspector may now appoint all five inspectors with the consent of the chief inspector, instead of having to refer two appointments to the governor. The salary of the license clerk is increased from $1,200 to $1,500, and he is given a stenographer. The question "number of work hours per week" is added to the blank form sent to establishments requiring licenses, and the uniform annual license fee of $1 for employers of five or more persons is varied from $1-$10 according to the number of employees. (C. 339. In effect, March 15, 1913).

Iowa.—The law creating the bureau of labor statistics is amended

to permit the commissioner to enter industrial establishments upon his own initiative without waiting for written complaints. Operators of industrial establishments are given thirty days after notice in which to make statistical reports; the question blank formerly embodied in the law is now omitted and the commissioner may require such information as will enable him to comply with the law. The commissioner is given a salary of $1,800 a year and is allowed, subject to the approval of the executive council, one deputy at $1,500, three inspectors, one to be a woman, at $100 per month, and one clerk at $1,000; the woman inspector is to have special supervision of the work of women and children. Expenses, in addition to salaries, are limited to $4,000 a year. (C. 196. In effect, July 4, 1913). See also, "Accident and Disease—Reporting", p. 304).

Kansas.—The former "society of labor and industry" is abolished and there is created a department of labor and industry. The commissioner, appointed by the governor, receives $2,500 a year, must be at least thirty years of age and must have been identified with labor for at least five years preceding his appointment. He is ex-officio state factory inspector, state mine inspector, and director of the state free employment bureaus; he may appoint and remove an assistant commissioner (at $1,500 a year) who has had at least five years' practical experience as a miner, a chief clerk at $1,200 a year, a statistical clerk at $1,000, one employment bureau clerk at $1,000, a stenographer at $900, two deputy inspectors at $1,200, one to be a woman, five deputy mine inspectors at $100 a month each, and special assistants at $4 a day with expenses. (C. 217. In effect, February 5, 1913).

Louisiana.—The maximum salary of the factory inspector for New Orleans is increased from $750 to $1,200 a year. (C. 61. In effect, July 30, 1912).

Massachusetts.—Rules and regulations for the prevention of industrial accidents and diseases are to be made by the joint action of the state board of labor and industries and the industrial accident board, which shall make arrangements to prevent overlapping or duplication of work. The joint board may appoint committees of employers and employees to aid in forming rules, may require the reporting of occupational diseases and may enter any place of employment used for business purposes. Proper hearings, open to the public, are required to be held after specified notice. The industrial accident board is given six inspectors subject to the classi-

fied civil service, and persons "especially qualified by technical education in matters relating to health and sanitation", as well as persons admitted to practice medicine, may be employed as industrial health inspectors. The act covers practically every place where a person is employed except in domestic service and farm labor; "safety" is defined to mean "such freedom from danger to the life, safety and health of employees as the nature of the employment will reasonably permit". Maximum penalty for violating any reasonable rule of the joint board, $100 for each offense. (C. 813. In effect, June 16, 1913). Inspectors of factories and workshops, transferred from the district police to the board of labor and industries, may upon written request to the governor be placed in the building inspection department to fill vacancies occurring after June 1, 1913. (C. 424. In effect, April 2, 1913). Tanks over eighteen inches in diameter used for storing compressed air at a pressure exceeding fifty pounds are brought under the boiler inspection department. Owners of such tanks must notify the department of their location and must pay a fee of $3 for every inspection. Tanks inspected by insurance inspectors need not be reinspected by the boiler department but insurance companies must send to the department reports of their inspections. Tanks attached to locomotives, cars, vessels or motor vehicles are exempt. Maximum penalty, $50, or imprisonment for thirty days, or both. (C. 629. In effect, August 6, 1913). The laws governing the inspection of buildings have been rewritten and revised, and authority over the inspection of buildings, including construction of factories, means of exit and fire escapes remain under the district police except in the city of Boston where this work is in the hands of the public buildings department. (C. 610. In effect, June 1, 1913; C. 655. In effect, November 1, 1913).

Michigan.—The commissioner of labor and his subordinates are given power to inspect at any reasonable hour all places where labor is employed. Other state departments are given access to individual plant statistics for statistical and classification purposes. (C. 39. In effect, June 14, 1913). Employers who refuse to allow the officers of the department to enter when the place is in operation, or who refuse information relating to hours of labor, wages, industrial, economic and sanitary conditions, are guilty of a misdemeanor. Maximum penalty, $100, imprisonment for 90 days, or both. (C. 161. In effect, June 14, 1913). The state fire marshal must make

regulations for the manufacture of highly inflammable material and explosives, and may prescribe the materials and construction of buildings which are to be used for such manufacturing. (C. 213. In effect, May 7, 1913).

Minnesota.—The former bureau of labor, industries and commerce is reorganized into a department of labor with four bureaus: statistics, factory inspection, women and children, and state free employment. The inspection staff is enlarged and in addition an inspector for elevators, one for railroads, and local managers for the five free employment bureaus are authorized; the commissioner may also employ when necessary an experienced architect and a competent physician. A board of examiners, consisting of the commissioner and two other persons appointed by the governor, is created to prepare suitable examinations, and all employees of the department, except the commissioner, the assistant commissioner and one stenographer must qualify in the examinations, and must in addition satisfy the board of their mental, moral and physical fitness for the work. The jurisdiction of the department is enlarged and the bureau for women and children is given authority over the morals and comfort of females. If objection is made to any order issued by the department, application may be made after ten days to a judge of the district court for a restraining order. Upon thirty days' notice a hearing may be held before the court or before three impartial expert referees appointed by the court, and the court may alter, annul or affirm the order complained of. It is made a misdemeanor for an agent of the department to disclose the name of any person giving information, for a subpoenaed person to refuse to attend or testify at a hearing, and for any person to refuse admittance to an officer of the department or to file required documents. (C. 518. In effect, August 1, 1913). (See also, "The Minimum Wage", p. 435).

Montana.—The former bureau of agriculture, labor and industry is abolished and two departments, one of labor and industry, the other of agriculture and publicity, are created. The department of labor and industry includes boiler inspection, mine inspection, management of the free employment offices, and the gathering of the usual industrial statistics by the commissioner of labor. A deputy coal mine inspector is authorized, to be selected from a certified list of the county examining board, and the force of the boiler inspec-

tion department is increased and regulations made more stringent. (Cs. 30, 55, 56, 134. In effect March 4, 1913).

Nebraska.—The factory and workshop law is extended to include the inspection of all places where one or more persons are employed, instead of only those places employing eight or more. The deputy commissioner of labor may appoint such inspectors as are necessary for this purpose, who shall be under his direction and shall receive not more than $4 per day and traveling expenses. Prosecution remains a duty of the prosecuting attorney. (C. 103. In effect, April 11, 1913). Statistical reports relating to the work of farmers are hereafter to be sent to the secretary of the state board of agriculture, instead of to the commissioner of labor. (C. 237. In effect, April 21, 1913). (See also, "The Minimum Wage", p. 435).

New York.—The department of labor is reorganized and enlarged. An industrial board is created, to consist of the commissioner of labor as chairman and four associate members at an annual salary of $3,000; the board may employ experts, clerical assistants and a secretary whose salary it may fix. It must hold public meetings, may require the attendance of witnesses and the production of records, may enter factories and may make rules and regulations covering the health, safety and comfort of employees under the jurisdiction of the department, and must hold public hearings thereon. Rules must be published "immediately" and take effect twenty days thereafter. The department is divided into four bureaus: inspection, statistics and information, mediation and arbitration, and industries and immigration. The work of the last two bureaus is not changed in this act. The bureau of statistics has five divisions: general labor statistics, industrial directory, industrial accidents and statistics, special investigations, and printing and publishing. The chief statistician remains and is allowed assistants from the employees of the department. The bureau of inspection has four divisions: factories, homework, mercantile, and industrial hygiene. The staff of the departments consists of a commissioner at $8,000 a year, a first deputy who is also inspector general, at $5,000, and a second deputy at $4,500. Two chief factory inspectors may also be employed at $4,000. A maximum number of inspectors is authorized as follows: ninety-five in the first grade, at $1,200 each; fifty in the second grade at $1,500 each; twenty-five in the third grade at $1,800 each; ten in the fourth grade at $2,000 each; and nine in the fifth grade at $2,500 each,

who may be required to act as supervising inspectors, and one may act as assistant chief inspector with $500 additional, and one must be able to speak five European languages besides English. A minimum number of inspectors is required as follows: three in the sixth grade at $2,500 each, all of whom must be physicians and one a woman; four in the seventh grade at $3,500 each, one of whom must act as chief medical inspector and chief of the division of industrial hygiene and receive $500 additional, one must be a chemical engineer, one a mechanical engineer and an expert in ventilation and accident prevention, and the fourth must be a civil engineer and an expert in fire prevention and building construction. The mercantile division allowed a chief inspector at $3,000, and not more than twenty inspectors at from $1,000 to $1,500, four of whom must be women. The division of industrial hygiene is made up of one chief inspector from the seventh grade, three from the sixth, and ten from the fourth, and the division is under the direct supervision of the commissioner of labor. The state is divided into two main districts and the commissioner may maintain sub-districts. The jurisdiction of the commissioner is extended to second class cities in respect to sanitary conditions in mercantile establishments and the employment of women and children in basements in mercantile establishments. Notices of the rules and regulations of the industrial board must be posted in English and other languages. (C. 145. In effect, March 28, 1913). Whenever the industrial board finds in any industry, trade or occupation such elements of danger to the life, health or safety of employees as to require special regulations, it may issue rules and regulations regarding temperature, humidity and the removal of dusts, gases or fumes, it may require medical inspection and supervision of persons employed or applying for employment, and may require that licenses permitting the continuance of work be secured from the commissioner of labor. (C. 199. In effect, April 3, 1913). The penalty of violations of the labor law is extended to cover also violations of provisions of the industrial code, rules or regulations of the industrial board and lawful orders of the commissioner of labor. The penalty, except when otherwise provided, remains at $20-$50 for the first offense; $50-$250, or thirty days imprisonment, or both, for the second offense; and not less than $250, or imprisonment for not more than sixty days, or both, for the third offense. (C. 349. In effect, April, 22, 1913). (For new defini-

tions of terms "factory" and "tenement house" see under "Factories and Workshops", p. 315).

Ohio.—There is created the industrial commission of Ohio consisting of three members, at $5,000 each, appointed by the governor and subject to his removal; employers and employees are to be represented in the commission and not more than two of the members may be of the same party. The duties and powers of the commission are practically identical with those of the Wisconsin industrial commission created in 1911.[1] The jurisdiction of the Ohio commission includes factory inspection, labor statistics, free employment offices, boiler, mine and building inspection, trade disputes, and the compensation of industrial injuries. It includes also the power to regulate hours of labor for all employees. Actions against the commission must be brought in the supreme court of the state. Parts of the general code in conflict with the above are repealed. Penalty for violating orders, $50-$1,000 for the first offense, $100-$5,000 for each subsequent offense. (S.B. 137. In effect, September 1, 1913). A maximum penalty of $25, and, for each succeeding offense, $100, is provided for any violation of the law regulating the manufacture of wearing apparel or tobacco goods in tenements. (H.B. 203. In effect, August 6, 1913).

Oregon.—(See "The Minimum Wage", p. 435).

Pennsylvania.—The former department of factory inspection is abolished and there is established a department of labor and industry. An industrial board is created, to consist of the commissioner of labor as chairman and four additional members who receive $10 a day and expenses. One member of the board must be a wage-earner, one an employer of labor and one a woman. Its powers and duties are similar to those of the New York board, but rules and regulations take effect thirty days instead of twenty, after publication. The department is divided into three bureaus: inspection, statistics and information, and mediation and arbitration. The staff consists of a commissioner at $8,000 a year who may employ a secretary and may appoint and remove officials, a chief inspector at $5,000, an attorney at $3,000, and clerks and assistants. Inspectors are authorized as follows: fifty in the first grade (five of whom must be women) at $1,500 each; two in the second grade, who are supervising inspectors at $2,500 each; two in the third grade who must be physicians and act as medical inspectors (one must be a woman) at $2,500 each; four in the fourth grade at $3,000 each,

[1] See American Labor Legislation Review, Vol. I, No. 3, p. 67.

one of whom must be a physician and act as chief medical inspector, one a mechanical engineer and an expert in ventilation and accident prevention, one a chemical engineer, and the fourth a civil engineer and an expert in fire prevention and building construction. The inspectors of the fourth grade constitute a division of industrial hygiene. The bureau of statistics and information is allowed a chief at $3,000, an assistant at $2,500, a statistician at $2,000, and clerks and assistants. The bureau of mediation and arbitration is allowed a chief at $3,500. At least two branch offices must be maintained, one in Pittsburgh and one in Philadelphia. The jurisdiction of the department extends to practically all places where persons are employed. Maximum penalty for violating any provision of this act or any rule or regulation of the industrial board, $100, or imprisonment for one month, or both. The existing labor law is not repealed, but only those acts or parts of acts which are inconsistent with this act. (No. 267. In effect, June 1, 1913). Factory inspectors must enforce the provisions for a toilet room and separate water closets in foundries. (No. 32. In effect, April 4, 1913).

Rhode Island.—The inspector of buildings in the city of Providence is made *ex officio* inspector of steam boilers and may appoint a deputy inspector. (C. 974. In effect, April 11, 1913).

Tennessee.—The office of shop and factory inspector is replaced by a department of workshop and factory inspection which is to have jurisdiction over "manufacturing, mills, mechanical, electrical, mercantile, art and laundering establishments, printing, telegraph and telephone offices, department stores, or any kind of an establishment wherein labor is employed or machinery used". The governor is to appoint, for four years at $1,800 a year and expenses, a chief inspector who must enforce all workshop and factory laws and prosecute violations. The chief inspector must with the governor's approval appoint one man and one woman deputy inspector for four years at $1,200 a year each and expenses. A clerk at $1,000 a year is also provided, and expenses, exclusive of salaries, are limited to $1,800 a year. Both male inspectors must be practical mechanics, and all inspectors must give their full time to their duties. They may at reasonable hours enter any place under their jurisdiction, and may administer oaths and take affidavits. Weekly records must be filed with the chief inspector, giving dates of inspections, conditions of workplaces and changes ordered. (C. 11. In effect, March 1, 1913). (See also "Child Labor", p. 375).

Texas.—The staff of the bureau of labor is increased and now consists of a commissioner of labor at $2,000 per year, a clerk and statistician, two factory inspectors, and a safety inspector, at $125 a month each. The total expenses of the bureau outside of salaries must not exceed $6,000 annually. (C. 115. In effect, July 1, 1913).

Utah.—The commissioner of immigration, labor and statistics is authorized to employ a woman deputy at $800 a year. The penalty for an employer who refuses to give information is increased to include both the fine and imprisonment. (C. 76. In effect, May 18, 1913). (See also "The Minimum Wage", p. 437).

Vermont.—The governor must appoint biennially with the con- of the Senate a state factory inspector, who has power to enter establishments, inspect the heating, ventilation, sanitary arrangements, guarding of machinery and other danger points, and recommend changes to be made within thirty days under penalty of $25-$200, or imprisonment for thirty days, or both. Maximum penalty for refusing entrance or information to an inspector, $100 or imprisonment for ninety days, or both. Evidence of violations of the labor laws must be submitted to the state's attorney in the county where the violation occurred, who must prosecute the offender. An aggrieved person may apply for a hearing before a court of chancery who may annul or affirm the inspector's order. The law applies to all premises where mechanical power is used or where manual labor is carried on for the purpose of gain and where the employer has a right of entrance or control, except private houses or rooms where those employed, or a majority of them, belong to the family. The annual salary of the state inspector is $1,600, with a total appropriation of $3,000. (Cs. 188, 189. In effect, February 17, 1913). The state board of health may prescribe regulations for heating and ventilating mills, factories, stone-sheds, or other buildings in which five or more persons are employed, and the board, through the court of chancery, may restrain the use of any premises until orders are complied with. (No. 216. In effect, February 1, 1913).

Washington.—All powers and duties of the commissioner of labor so far as they concern bakeries are transferred to the newly created commissioner of agriculture, who is to be appointed by the governor. (C. 60. In effect, June 13, 1913). (See also, "The Minimum Wage", p. 437).

Wisconsin.—The term safety in the act creating the industrial commission is re-defined to include "reasonable means of notifica-

tion, egress and escape in case of fire", and to apply to the public or to tenants. The powers of the commission are extended to cover public buildings, which are defined as "any structure used in whole or in part as a place of resort, assemblage, lodging, trade, traffic, occupancy, or use by the public, or by three or more tenants". Employers and owners of public buildings and of places of employment must construct, repair and maintain them, and architects must prepare plans, so as to render them safe. Penalty, $10-$100. The previous laws governing fire escapes and sanitation of tenements, hotels, theatres and the like, and the safety of building workers, are repealed. (C. 588. In effect, June 27, 1913). A number of provisions covering safety, ventilation and sanitation in factories and workshops, which were superseded by the establishment of the industrial commission, are repealed. (C. 223. In effect, May 13, 1913). (See also, "The Minimum Wage", p. 437; "Child Labor", p. 377: "Unemployment", p. 423).

United States.—A department of labor is created, embracing the immigration and naturalization service (now two distinct bureaus), the children's bureau, and the bureau of labor (now the bureau of labor statistics), all of which were formerly under the department of commerce and labor. The department is to be headed by a secretary of labor, appointed by the president with the consent of the senate, at a salary of $12,000 a year. Provision is made for an assistant secretary, appointed by the president, at $5,000 a year, and for clerks, clerical assistants, inspectors and special agents as may from time to time be provided for by congress. The duties of the new department are "to foster, promote and develop the welfare of the wage-earners of the United States, to improve their working conditions, and to advance their opportunities for profitable employment". The secretary also has power to act as mediator in labor disputes and to appoint commissioners of conciliation "whenever in his judgment the interests of industrial peace may require it". The commissioner of labor statistics must report at least once each year statistics of the conditions of labor and the products and the distribution of the products of the same, and may call upon other departments for data collected by them. He is also to have the administration of the federal employees' compensation act of May 30, 1908. A solicitor of the department of justice is assigned to the new department, with a salary of $5,000 per year. (Public 426, 62nd Congress, 3rd session. In effect, March 4, 1913).

CHILD LABOR

Thirty-one states this year enacted legislation directly affecting child labor. Nine of these states passed minimum wage laws affecting children, which are analyzed under "Woman's Work" (see p. 434). In the remaining laws, with few exceptions, the tendency has been towards shortening of hours, raising the minimum age for employment both in general industry and in specified occupations, and prohibition of night work. Provision was made in five states for the compulsory attendance at continuation schools of minors employed by virtue of employment certificates, and in two states, New York and Rhode Island, a physical examination was required of all children seeking such certificates. Five states gave the board of health or labor department power to extend the list of prohibited employments for minors of certain ages, and Massachusetts authorized a free employment office for children in Boston.

California.—The issuing of special work permits for children between twelve and fifteen years of age is transferred from the courts to the school authorities, and the eight-hour day is extended to include all workers under eighteen years. The bureau of labor statistics is to enforce the act. Penalty, $50-$200, imprisonment for not over sixty days, or both. (C. 214. In effect, August 10, 1913). (See also "The Minimum Wage", p. 434).

Colorado.—(See "Mines", p. 324, and "The Minimum Wage", p. 434).

Connecticut.—Children in good physical condition, between the ages of fourteen and sixteen may be granted by the state board of education temporary permits to work during the summer vacation. (C. 211. In effect, June 6, 1913). An old schooling act is repealed. (C. 47. In effect, May 7, 1913). Hours of minors under sixteen are limited to ten a day and fifty-five a week in manufacturing and mechanical establishments, and to fifty-eight a week in mercantile establishments. Work after 6 p. m. is allowed only in mercantile establishments, where it is restricted to one night a week except from December 17 to 25, and must cease at 10 p. m. Maximum penalty remains $20 for each offense. (C. 179. In effect, January 1, 1914). Minors may not be employed in saloons nor in the handling or delivery of intoxicating liquors. The act does

not apply to grocery or drug stores nor to bona fide hotels. (C. 11. In effect, April 17, 1913). (See also, "Woman's Work", p. 438).

Delaware.—Children under twelve years of age may not be "employed, permitted or suffered" to work in or about canning or packing establishments "other than those engaged in canning or packing perishable fruits and vegetables". Children under fourteen may not work during school hours, nor in twenty-seven specified employments, including factories, workshops, mercantile establishments, restaurants, hotels, building construction, messenger service, operation of certain dangerous classes of machinery, and navigation. Children under fifteen may not be employed in any calling physically or morally dangerous to them, of which twenty-two are specified, including work with dangerous acids, white or red lead, on scaffolding, in excavations, in coal mines or breakers and on railroads. Children under sixteen may not be employed in theatrical exhibitions, except when specially permitted by the state child labor inspector. Persons under twenty-one may not work in saloons, and no girl under eighteen may work in any employment which "compels her to remain standing constantly, unless seats are provided". The state board of health is empowered to add to the list of prohibited industries for children under fifteen, subject to appeal to the superior court. Children under sixteen must have employment certificates, for which a proper school record, physical examination and documentary proof of age are required. Employment of a child after failure to produce, in ten days, satisfactory proof that such child "is in fact over sixteen years of age" is prima facie evidence of illegal employment. Hours of children under sixteen in factories, workshops, stores, laundries and the like, except canneries, are limited to fifty-four a week, and work for more than six days a week and between 6 p. m. and 7 a. m. is prohibited. Thirty minutes must be allowed for the noon meal. In cities of 20,000 population or over messenger service between 10 p. m. and 6 a. m. is prohibited for persons under eighteen years of age; newspaper selling on the streets is prohibited for boys under twelve and girls under fourteen; other street trades are prohibited for boys under fourteen and girls under sixteen. In cases of need children "under the age as specified in this act" may receive special working permits, renewable yearly. The child labor commission must appoint a state child labor inspector to enforce the act, who serves for two years and receives $1,800 salary and $300 expenses annually.

Penalty for the employer or parent who employs or permits a child to work illegally, $5-$50 for the first offense; $50-$200, imprisonment for not over thirty days, or both, for a second offense; not less than $200, or imprisonment for not over sixty days, or both, for a third offense. Penalty for continuing to employ a child illegally after written notice from the state child labor inspector, $5-$20 for each day. Penalty for an employer retaining an employment certificate after a child has left his employ, or failing to post the sections of the law relating to hours, $5-$50; for an employer who fails to secure and file employment certificates, $5-$100; for an employer who hinders or locks out the child labor inspector, $5-$200, imprisonment for ten to thirty days, or both; for a person authorized to issue employment certificates or badges, or any other person who violates the law, or who knowingly certifies any materially false statement, $5-$100. (C. 176. In effect, January 1, 1914). An unsalaried child labor commission of eight members is created, to appoint and remove all officials who have to do with the labor of minor children in the state. Three members must be from Wilmington, one from New Castle County outside of Wilmington, two from Kent County and two from Sussex County. Members are appointed by the state supreme court for two years, and at least one must be an employer and at least one an employee in an industrial or manufacturing plant. The commission may appoint a secretary at $100 a year, and $250 is appropriated annually for its use. (C. 103. In effect, March 21, 1913).

Florida.—In cities of 6,000 population or more boys under ten years of age and girls under sixteen may not sell newspapers, and children under twelve may not be employed, permitted or suffered to work in stores, offices or as messengers. No child under fourteen may work in a factory or laundry or on the stage of a theatre. Employment of a child after failure to produce, within ten days, satisfactory proof that it is over fourteen years of age is prima facie evidence of a violation. Children under sixteen may not be employed in factories, laundries or mines without proper certificates which require documentary proof of age. Their work is limited to six days a week, fifty-four hours a week and nine a day, and must be performed between 5 a. m. and 8 p. m. Persons under eighteen may not be employed as messengers between 10 p. m. and 5 a. m., and persons under twenty-one may not be employed in barrooms. Children under sixteen may not be employed in a number

of dangerous occupations. Where they are employed suitable washrooms and water closets, separate for each sex, must be provided, as well as dressing rooms for girls under sixteen when the work requires a change of clothing, and seats which the girls may use when not actively employed; walls and ceilings must be lime washed or painted upon order of the labor inspector. The act is to be enforced by a man or woman state labor inspector, appointed by the governor for four years at $1,200 a year and expenses. County or city, judicial or police officers may also inspect factories, mines and mercantile establishments, and must report violations to the superintendent of schools and the labor inspector. The act does not apply to agricultural or domestic employment, nor to the delivery of newspapers to regular subscribers by boys out of school hours. Maximum penalty for the employer or parent who employs or permits a child to work illegally, $50. Penalty for the employer who continues to employ a child illegally after notice, $5-$20 for each day. Penalty for the employer retaining an employment certificate after a child has left his employ, $10; for any person authorized to sign a certificate who certifies to any materially false statement, $10-$50. (C. 6488. In effect, January 1, 1914).

Indiana.—No child under sixteen who would otherwise be required to attend school may be employed during school hours unless he is fourteen years old, has a certificate from the school officer showing his age, date and place of birth, if ascertainable, and that he has passed the fifth grade or its equivalent, and has a signed statement that the employer has employed or is about to employ him. Proof of age must be by a duly verified copy of birth certificate, or baptismal certificate, or passport; or by the first school enumeration in which the age of the child appears; or by affidavit of parent or guardian supported by affidavit of some disinterested person, in the order named. If date or place of birth cannot be secured in any of these modes, the school officer may certify his opinion of the child's age and ability to perform the intended work, and issue the certificate. The employer must keep the certificate on file, open to the bureau of inspection or other qualified official. When the employment ceases, the employer must notify the school corporation in writing, and reemployment of the child is illegal without a new certificate. The state board of truancy must define "occupation" as used in the act. (C. 213, secs. 1 and 2. In effect, March 14, 1913). Where vocational schools are estab-

lished with part time classes, the local board of education may require attendance five hours weekly between 8 a. m. and 5 p. m. of youths aged fourteen to sixteen who are employed. (C. 24, sec. 11. In effect, April 30, 1913).

Iowa.—The school law is strengthened by requiring attendance of all children between the ages of fourteen and sixteen unless they are regularly employed or have completed the eighth grade. (C. 255. In effect, July 4, 1913).

Louisiana.—The compulsory education law in the parish of Orleans is extended to require the school attendance of children between the ages of fourteen and sixteen unless "regularly and lawfully employed for at least six hours each day in some useful employment or service." (No. 232. In effect, August 19, 1912). Minors under seventeen are forbidden to be employed in any place where pool or billiard games are operated. Penalty, $25-$100, or imprisonment for not over three months, or both. (No. 25. In effect, July 25, 1912). Children under sixteen may not be employed in any gymnastic, musical, theatrical, immoral or dangerous exhibition; except that children may be employed as singers or musicians in a church, school or academy or in a theatrical exhibition upon permit from a juvenile court. Penalty, $25-$250, or imprisonment for not over two years, or both. (No. 184. In effect, August 14, 1912).

Maine.—In doubtful cases when age and schooling certificates are applied for, the school authorities may require a physician's certificate of a child's physical fitness to perform the intended work. (C. 87. In effect, July 11, 1913).

Massachusetts.—The Boston school committee may establish and regulate a free employment office for minors. No fees may be charged of applicants for work, but the expenses of the office are to be paid out of the school appropriation. (C. 389. In effect, March 28, 1913). Illiterate minors between the ages of sixteen and twenty-one must attend a public evening school during its full term, unless there is no public evening school in the same city or town or unless they attend a public day school or an approved private school. Penalty for non-attendance, $5. Maximum penalty for a person having an illiterate minor under his control and failing for six sessions in a month to cause the minor to attend school (except in cases of physical or mental illness), $20. Maximum penalty for a person who induces such minor to absent himself

from school, or illegally employs or harbors him while school is in session, $50. (C. 467. In effect, May 10, 1913). Licenses to operate passenger elevators must not be granted to persons less than eighteen years old. (C. 714. In effect, August 26, 1913). The compulsory school attendance law is amended to include children under sixteen who are not lawfully employed at least six hours a day or at home. Maximum penalty for a person having such a child under his control and failing for the equivalent of five days' sessions to cause the child to attend school (except in cases of physical or mental illness), $20. Penalty for a person who induces a child to leave school, or who employs or harbors a child while school is in session, $10-$50. (C. 779. In effect, September 1, 1913). Labor in tenement houses, building construction, messenger offices, barber shops and six other classes of establishments is added to the employments prohibited to minors under fourteen. Minors under sixteen may not be employed on a long list of dangerous machines or processes, and the state board of labor and industries has power to extend the list. A similar series of restrictions, which the same board may extend, is placed upon the labor of minors under eighteen. Persons under twenty-one may not be employed in barrooms nor sent to any immoral place of resort or amusement. Minors under sixteen may not be employed more than six days or forty-eight hours a week, nor more than eight hours a day, nor between 6 p. m. and 6.30 a. m. Boys under eighteen and girls under twenty-one may not be employed more than six days or fifty-four hours a week, nor more than ten hours a day, nor between 10 p. m. and 5 a. m., nor in the manufacture of textiles after 6 p. m. Messenger service, except in connection with newspaper publication, is prohibited for all persons under twenty-one between 10 p. m. and 5 a. m. Boys under twelve and girls under eighteen may not engage in street trades in cities over 50,000 population; boys under sixteen in street trades must have badges, and must not work between 9 p. m. and 5 a. m., nor in school hours unless provided with employment certificates. Penalty for any person who induces or permits any minor to be employed illegally, $10-$50, or imprisonment for not over thirty days, or both, for a first offense; $50-$200, or imprisonment for not over sixty days, or both, for subsequent offenses; and each day's illegal employment after written notice constitutes a separate offense. Penalty for any person who hinders or locks out an inspector or attendance

officer, or who refuses information, $25-$200, or imprisonment for not over sixty days, or both. Penalty for any person who sells goods to any minor, knowing that the minor intends to sell them illegally, $10-$200, or imprisonment for not over sixty days, or both. Penalty for any parent who compels or permits a minor to work illegally, or who certifies to any materially false statement, $2-$10, or imprisonment for not over five days, or both, for a first offense; $5-$25, or imprisonment not over ten days, or both, for a subsequent offense. Penalty for any person authorized to enforce the act who violates any of its provisions, $10-$200, or imprisonment for not over sixty days, or both. Penalties, including a fine and the revocation of the badge, are provided for minors violating the sections on street trading. (C. 831. In effect, September 1, 1913). Where continuation schools are established, the school committee may with the consent of the board of education require the attendance of minors between the ages of fourteen and sixteen for four hours a week, between 8 a. m. and 6 p. m. Penalty for employing a minor after written notice that he is not attending school, $10-$100 for each offense. Penalty for a minor failing to attend school, revocation of employment certificate. (C. 805. In effect, September 1, 1913). (See also "The Minimum Wage", p. 434).

Michigan.—Children who have completed the eighth grade in public schools or its equivalent in private or parochial schools and who are physically capable of work and are legally employed, and children over fourteen whose services are essential to the support of their families, are exempted from school attendance. (No. 47. In effect, June 14, 1913).

Minnesota.—Violation of the section in the child labor law prohibiting certain employments to children under sixteen years of age is made a misdemeanor instead of a gross misdemeanor. (C. 120. In effect, March 26, 1913). The list of mechanical and manufacturing employments in this section is almost without change prohibited to children under sixteen in a new safety law for factories and workshops. Minimum penalty, $25 or imprisonment for fifteen days. (C. 316. In effect, October 1, 1913). It is made illegal to "exhibit" any child under fourteen during the school term except with the consent of the mayor or the president of the village council. Such consent may not be given for a child under ten, and application must be made seventy-two hours in advance instead of

forty-eight, as previously. (C. 516. In effect, April 25, 1913). (See also "The Minimum Wage", p. 435).

Montana.—A new school code is enacted, slightly strengthening the attendance law but not affecting the school age, which remains eight to fourteen, or if the child is unemployed, eight to sixteen. (C. 76, c. XI. In effect, March 12, 1913).

Nebraska.—(See "The Minimum Wage", p. 435).

Nevada.—Employment of children under fourteen years of age is forbidden during school hours. Children under sixteen may not be "employed, permitted or suffered to work" in a number of specified physically or morally dangerous occupations, and the state board of health may extend the list. In incorporated cities and towns night messenger service between 10 p. m. and 5 a. m. is prohibited for persons under eighteen. Boys under sixteen and girls under eighteen years may not be employed, except in domestic service or farm work, for more than eight hours a day and forty-eight a week. Penalty for the employer, parent or guardian, $5-$200, or imprisonment for ten to thirty days, or both. Penalty for continuing to employ a child illegally after notice, $5-$20 for each day. (C. 232. In effect, March 25, 1913).

New Hampshire.—The minimum age for legal employment is raised from twelve to fourteen years, except that boys of twelve may deliver newspapers on routes between 4 and 8 p. m. Boys of fourteen or over may deliver newspaper routes after 5 a. m. instead of only after 6.30 as before. (C. 224. In effect, May 21, 1913). No minor may be "employed or permitted to work in any manufacturing, mechanical or mercantile establishment, laundry or restaurant, or confectionery store, or by any express or transportation company" more than ten and one-quarter hours a day or fifty-five hours a week. Penalty, $50-$100. (C. 156. In effect, January 1, 1914). Children under sixteen may not work during school hours unless they have completed the eighth grade. (C. 221. In effect, May 21, 1913).

New Jersey.—Children between seven and sixteen years of age are required regularly to attend day school except those whose mental or bodily condition prevents, and except those over fourteen who have been granted an age and schooling certificate by the school officials upon presentation of documentary proof of age, and are lawfully employed. Maximum penalty for parent or guardian $5 for the first and $25 for each subsequent offense. (C. 221. In effect, April 2, 1913).

New York.—The physical fitness of every child applying for an employment certificate must be determined by a medical officer of the board of health. The child must also have completed the sixth grade or its equivalent. The issuance of certificates by local boards of health is brought under the supervision of the commissioner of labor. (C. 144. In effect, October 1, 1913). Children between the ages of fourteen and sixteen employed in factories must submit to a physical examination whenever required by a medical inspector of the state department of labor. If the child refuses, or if upon examination he is found physically unfit for factory work, his employment certificate may be cancelled by the commissioner of labor. Upon later examination, however, the certificate may be restored. (C. 200. In effect, October 1, 1913). The industrial board is given power to extend the list of dangerous machines at which children under sixteen may not be employed. The board may also prohibit or regulate the employment of minors under eighteen in trades or processes determined to be dangerous. (C. 464. In effect, October 1, 1913). The limitation of minors' hours to eight a day does not apply to the employment of persons sixteen or over on Saturday, if the total number of hours per week does not exceed fifty-four in second class cities or sixty hours elsewhere, nor to employment during the five days before Christmas in second class cities. (C. 493. In effect, October 1, 1913). The prohibition of child labor under fourteen years is extended to cover work done "for any factory at any place in this state". Boys over twelve may be employed to gather produce for not more than six hours a day, and the act does not apply to a farmer employing his own children. (C. 529. In effect, May 15, 1913). The minimum age for newsboys is raised from ten years to twelve, and for the first time third class cities are included; holders of newsboys' badges must stop work at 8 p. m. instead of at 10 p. m. as formerly. A child violating the law may if over seven years of age be adjudged guilty of juvenile delinquency, and may be committed to a reformatory. The parent or guardian failing to exercise reasonable diligence to prevent a violation is guilty of a misdemeanor. (C. 618. In effect, May 21, 1913). When part-time and continuation courses are established, the board of education may require the attendance of employed persons between the ages of fourteen and sixteen, for from four to eight hours a week for thirty-six weeks a year, between 8 a. m. and 5 p. m. (C. 748. In effect, May 26, 1913). The license per-

mitting work in a tenement may be revoked if children under fourteen are employed therein. (C. 260. In effect, October 1, 1913).

North Carolina.—No child under twelve years of age "shall be employed or work" in any manufacturing establishment. Children between twelve and thirteen years may work as apprentices if they have attended school during four of the preceding twelve months. Night work from 9 p. m. to 6 a. m. is prohibited under the age of sixteen. Children under thirteen must not be employed without certificates showing age and school record, which must be kept on file. The county superintendent of public schools must investigate violations and report them to the solicitor of the judicial district. An employer or parent who employs or permits a child to work illegally is guilty of a misdemeanor. (C. 64. In effect, January 1, 1913). School attendance between the ages of eight and twelve is made compulsory in all counties, and a school attendance officer is appointed in each township. Penalty for parent or guardian, $5-$25, and upon refusal to pay fine, imprisonment for thirty days. Every day's violation after three days' notice is a separate offense. (C. 173. In effect, March 12, 1913).

Ohio.—Children under fourteen years of age may not be employed in musical, gymnastic or immoral exhibitions. Maximum penalty, $200, or imprisonment for six months, or both. Employment of children under fifteen is forbidden in all occupations during school hours. Boys under fifteen and girls under sixteen may not be employed in twenty-four specified industries, including factories, stores, offices, and building construction. Boys under fifteen and girls under twenty-one years may not work as messengers. An age and schooling certificate requiring documentary proof of age is required of all employed boys under sixteen and girls under eighteen; boys must pass the sixth grade, girls the seventh grade test. The labor of boys between sixteen and eighteen years, and of girls between eighteen and twenty-one is limited to six days or fifty-four hours a week and ten hours a day, and night work between 10 p. m. and 6 a. m. is prohibited. (The eight-hour day for boys under sixteen and girls under eighteen is retained.) Where part time day schools are established, attendance for eight hours a week between 8 a. m. and 6 p. m. may be required of all children between the ages of fifteen and sixteen who are employed. (S.B. 18, secs. 12993 to 13007-14. In effect, August 11, 1913). (See also "Woman's Work", p. 444).

Oklahoma.—Children under sixteen years of age of a widowed mother who makes affidavit that their wages are necessary to her support may after investigation by the county superintendent of public instruction and the board of education receive a scholarship of equal amount conditioned upon their legal attendance at school. (C. 219, art. 13, sec. 4. In effect, January 1, 1914).

Oregon.—Parents and guardians of children of school age must answer truthfully all questions of the school clerk in regard to age, etc. Maximum penalty, $100 or imprisonment for fifty days. (C. 308. In effect, June 2, 1913). (See also "The Minimum Wage", p. 435).

Pennsylvania.—No woman under twenty-one (instead of under sixteen as before) may work in "any establishment" between 9 p. m. and 6 a. m.—except minors over eighteen employed as telephone operators. Continued employment between those hours of a woman apparently under twenty-one, after failure to produce, within ten days, legal proof of age, is prima facie evidence of a violation. (No. 466. In effect, July 25, 1913). (See also "Woman's Work", p. 444). Making a false statement or presenting a forged document in order to secure a child's employment certificate is made a misdemeanor. Penalty, $10-$25, imprisonment for not over ten days, or both, for the first offense; maximum penalty for subsequent offenses, $50, imprisonment for ninety days, or both. (Nos. 47, 48. In effect, April 15, 1913). Quarries are added to the list of prohibited employments for minors under eighteen. (No. 412. In effect, July 19, 1913). Truant officers must enforce the child labor law, in cooperation with the chief factory inspector (No. 47. In effect, April 15, 1913) and with the chief of the department of mines (No. 48. In effect, April 15, 1913).

Rhode Island.—The law limiting the hours of minors under sixteen years is extended to include business and mercantile as well as manufacturing and mechanical establishments, and the maximum number of hours a week is reduced from fifty-six to fifty-four. The age and employment certificate is made prima facie evidence of age in the trial of any person other than the parent or guardian. Penalty remains $20 for each offense. (C. 912. In effect, July 1, 1913). A physical examination is required of a child seeking an employment certificate. (C. 956. In effect, July 1, 1913).

South Carolina.—The law forbidding the enticing away of laborers under contract is amended to apply also to children who have

been contracted out by their parents or guardians. (No. 28. In effect, February 24, 1913).

South Dakota.—"The standard day's work" for children under fourteen years "shall not exceed ten hours in each day", except in the case of farm laborers, domestic servants, or persons caring for live stock. Maximum penalty for an employer who "compels" a violation, $100, or imprisonment for thirty days, or both. Children under fourteen may not be employed at any time in any factory, workshop or mine, nor in any mercantile establishment except during school vacations. Children under sixteen may not be employed in occupations dangerous to life, health or morals, nor for more than ten hours a day or sixty a week; except that on Saturdays and for ten days before Christmas they may be employed until 10 p. m. Children under fourteen may not be employed in factories, workshops, mines or mercantile establishments except with a certificate of age and schooling, and in cases of need the school authorities may issue a permit allowing the employment of a child who would otherwise be barred from employment. All places where children are employed are subject to inspection by the county superintendent of schools. They must be kept clean and free from effluvia, be provided with separate privies or water closets for male and female employees, and have separate dressing rooms if the work requires a change of clothing. Dressing rooms and water closets must be thoroughly cleaned with soap and water every week, all other floors must be cleaned similarly every two weeks, and the interior of factories must be limewashed or painted every year. Employers must provide seats and permit such use of them as is necessary to preserve health. Penalty, $10-$100, or imprisonment for not over thirty days, or both. (C. 240. In effect, March 3, 1913).

Tennessee.—The former sixty-hour-week law for minors under sixteen years of age now applies to factories and workshops, and provides that after January 1, 1914, hours per week shall be fifty-eight, and after January 1, 1915, fifty-seven per week. Ten and one-half hours per day are allowed, but only to permit one shorter work-day a week. Printed notices of the law must be posted, also a statement of hours for commencing and leaving work, time allowed for meals, and total hours required each day and week; hours on any night shift must also be posted. A record open to inspection must also be kept of each worker, stating the number of hours worked each day and week. The department of factory in-

spection enforces the act. Penalty for requiring or permitting a violation, $25-$100 for each offense. (C. 12. In effect, September 25, 1913). Children between the ages of fourteen and sixteen, who are not regularly and lawfully employed, must attend school as required for children between eight and fourteen. Temporary exemptions are allowed for poverty, but such cases must be reported for relief. City and county attendance officers must enforce the act. Penalty for making a false statement of the child's age, $2-$50. Penalty for failure to comply with the act, $2-$20 for a first offense, $5-$50 for subsequent offenses, and costs; but the fine may be suspended if the child is immediately placed in regular school attendance. (C. 9. In effect, February 19, 1913). Night work between 6 p. m. and 6 a. m. is prohibited under the age of sixteen, and agriculture and domestic service are included in the occupations prohibited under fourteen years during the school term. (C. 47. In effect, September 27, 1913).

Texas.—A bureau of child and animal protection, of from nine to twenty-one members, is to be appointed by the governor from the directorate of the Texas state humane society, and the governor, the superintendent of public instruction and the attorney general are ex-officio members of the bureau's board of directors. The bureau is to enforce the laws for the prevention of wrongs to children, appoint agents, assist in the organization of local societies, and promote education and sentiment for the protection of children. It must meet annually, and issue an annual report. (C. 56. In effect, June 30, 1913).

Utah.—(See "The Minimum Wage", p. 437).

Vermont.—Children under eighteen years of age may not be employed in laboring in a manufacturing or mechanical establishment more than eleven hours a day and fifty-eight hours a week. The employer must post conspicuously in every workroom where such minors are employed a notice stating the number of hours required of them each day, the time of beginning and stopping work, and the time allowed for meals. An age certificate sworn to by the minor and his guardian shall be prima facie evidence of his age in any prosecution. Maximum penalty for the parent or guardian, $100. Penalty for the employer, $50-$100. (No. 85. In effect, April 1, 1913). Children under sixteen may not be employed for more than nine hours a day or fifty a week, nor before 7 a. m., in

railroading, mining, manufacturing, quarrying, hotels or bowling alleys, or messenger service. The town or union superintendent or truant officer must inspect enumerated workplaces at least three times during the school year. Railroads may now employ children under fourteen, and the prohibition against the employment of children under twelve in factories, quarries, messenger service and the like, is removed. (No. 75. In effect, February 18, 1913).

Washington.—(See "The Minimum Wage", p. 437).

Wisconsin.—The laws prohibiting certain employments to minors of certain ages are repealed. Instead it is forbidden to "employ, require, permit or suffer any minor . . . to work in any place of employment, or at any employment dangerous or prejudicial to the life, health, safety and welfare of such minor, or . . . where the employment of such minor may be dangerous or prejudicial to the life, health, safety or welfare of other employees or frequenters." The industrial commission must determine reasonable classifications of employments and enforce the required prohibitions. Pending action by the commission a long schedule of employments is prohibited, including: (a) minors under twenty-one: messenger service between 8 p. m. and 6 a. m. in cities of the first, second and third class. (b) minors under eighteen: messenger service (girls only), blast furnaces, docks, emery polishing or buffing, elevators, explosives, matches, mines or quarries, oiling dangerous machinery in motion. (c) children under sixteen: cracker machinery, adjusting belts in motion, laundries, liquor or tobacco manufacture or sale, paints and poisons, printing or drill presses, stamping machines, theatres and concert halls. (d) females: "any female child in any capacity where such employment compels her to remain standing constantly". Penalty, $10-$100. (C. 466. In effect, June 17, 1913). Domestic service and farm labor are exempted from the eight-hour limitation on the work of children, and in other occupations their employment may be extended up to eight hours and thirty minutes a day for the purpose of leaving them free from labor at noon on Saturday; but no child may be employed more than forty-eight hours a week, including four hours at continuation school, nor between 6 p. m. and 7 a. m. Power must be shut off from machinery operated by children and no work permitted during the dinner period of at least thirty minutes. The requirement for time off to attend continuation school between the ages of fourteen and sixteen is made to apply only to day schools, and the attendance

may be varied by the local board of industrial education from five hours a week for six months to four hours a week for eight months each year. The industrial commission is to enforce the act, in conjunction with the truant officers. (C. 584. In effect, June 27, 1913). The issuance of permits and badges to boys under sixteen seeking employment as newsboys, bootblacks, or in other street trades in cities of the first class, is transferred from the state factory inspector to the board of education. Newsboys under sixteen (instead of under fourteen, as formerly) may not work in such cities after 7.30 p. m. or before 5 a. m., but in case a boy is absent from a newspaper's regular distributing staff and no other boy with a permit is at hand, any boy over twelve without a permit but who has complied with all other requirements may distribute for seven days upon issuance of a special certificate. A deposit of twenty-five cents is required for badges. The penalty for employing or allowing a boy to be employed in violation of the act is reduced from $25-$100, imprisonment for ten to sixty days, or both, to $10-$50, imprisonment for ten to thirty days, or both. (C. 483. In effect, July 1, 1913). County and city school superintendents must report to the industrial commission and to the proper truant officer within ten days of the close of each month from October to May inclusive all children between seven and sixteen years of age not attending school, except those between fourteen and sixteen regularly employed. Penalty $5-$25. (C. 650. In effect, July 24, 1913). Truant officers must compel children between fourteen and sixteen years of age "to attend school or become regularly employed at home or elsewhere". (C. 230. In effect, May 15, 1913). (See also "The Minimum Wage", p. 437).

EMPLOYERS' LIABILITY, WORKMEN'S COMPENSATION AND INSURANCE

A. COMMISSIONS

Commissions to study methods of compensation for industrial injuries were created this year in Indiana, Louisiana and Vermont, and the Pennsylvania commission of 1911 was continued. From 1909 to 1913, twenty-one states and the federal government have had legislative commissions on this subject, the three new states of this year making a total of twenty-five legislative compensation commissions. In several other states commissions have been voluntarily appointed by the governors.

Indiana.—The governor is to appoint a commission of five persons to inquire into the subject of employers' liability, causes of accidents to employees, and methods of compensation. One member must be an employer and one a workman. Members receive expenses only, except the workman who receives in addition $5 per day. The commission may send for and examine persons and papers, administer oaths, purchase books and supplies and engage the necessary clerical help, and must report to the 1915 legislature. Appropriation, $2,000. (C. 333. In effect, March 15, 1913).

Louisiana.—An employers' liability commission of five members, appointed by the governor for two years without salary, is created to investigate the "true and proper relations between employers and employees with reference to accidents", the defenses which should be allowed, and the advisability of adopting a compulsory compensation or a voluntary insurance system. Report must be made to the general assembly during the first week of its session in 1914. (No. 142. In effect, July 10, 1912).

Pennsylvania.—The industrial accidents commission authorized in 1911 is continued, and in addition to inquiring into the causes and results of accidents, methods of safeguarding and compensation, is to recommend to the next legislature a workmen's compensation law. The secretary's salary is reduced from $4,800 to $2,400 a year, and $12,000 is appropriated. (No. 380. In effect, June 27, 1913).

Vermont.—The governor is directed to appoint a commission of

three unsalaried members to investigate the workings of the various liability and compensation acts. Experts and clerical assistants may be employed, and the members are allowed expenses. (J. R. 458. Approved, February 22, 1913).

B. GENERAL LIABILITY LAWS

General liability laws were enacted or amended this year in twelve states. In Minnesota, North Carolina, North Dakota, Wisconsin and Wyoming some of the employer's defenses were removed in railroad accidents to which violation of a safety statute contributed, and in Arkansas the same action was taken with regard to all corporations except railroads, which were covered by the law of 1911. The movement to substitute the principle of comparative negligence for the complete defense of contributory negligence met with success in Florida in a specified list of employments, in Nebraska in all employments, and in Wisconsin and Wyoming on railroads. Several other states also modified their general liability laws in ways which affect labor, but these cannot strictly be called labor laws. The Colorado law analyzed in this section was referred to the people.

Arkansas.—The railroad liability act of 1911 is this year supplemented by a similar act applying to all corporations, their receivers or managers, except those engaged in interstate commerce. The defenses of contributory negligence and assumption of risk are modified, and entirely removed where a violation of the safety law has occurred. Contracting out is prohibited. (Act 175. In effect, March 13, 1913).

Colorado.—In case of injury or death of an employee through a defect of the means of work which could have been made more safe by ordinary diligence, knowledge of the defect shall be no bar to recovery, unless the remedying thereof was the employee's principal duty. All agreements to the contrary are void. (C. 43. In effect, July 2, 1913).

Florida.—Maintenance of or subscription to a relief department for employees does not relieve the employer of liability for the negligent killing of an employee. Contracts or stipulations to the contrary are void. (C. 6520. In effect, May 21, 1913). Employers engaged in "railroading, operating street railways, generating and selling electricity, telegraph and telephone business, express business, blasting and dynamiting, operating automobiles for public use,

boating when boat is propelled by steam, gas or electricity" are made liable for the injury or death of employees caused by negligence of the employers or their agents or servants, and the doctrine of assumption of risk shall not obtain in such cases. If the employee is also at fault, damages must be awarded by the jury in proportion to the amount of fault attributable to both; but damages are not recoverable if the injury was due solely to the negligence of the injured and another employee jointly engaged in performing the act causing the injury. Any device to relieve the employer of the stated liability is void. (C. 6521. In effect, June 7, 1913).

Iowa.—No change in the rule of burden of proof shall exist in favor of any employee injured in the construction, repair or maintenance of lines transmitting electric currents, and operating by the authority of the railroad commission. (C. 174, sec. 6. In effect, April 11, 1913).

Minnesota.—(See "Railroads and Streetcars", p. 338).

Nebraska.—Employees killed or injured on railroads or streetcars are not held to have assumed any risks of their employment in any case where the company or its agents or employees have been guilty of negligence. (C. 98. In effect, April 11, 1913). The rule of contributory negligence is modified so as not to bar recovery when the contributory negligence of the plaintiff was slight and the negligence of the defendant gross in comparison. The contributory negligence of the plaintiff must, however, be considered by the jury in mitigation of damages awarded. (C. 124. In effect, April 26, 1913).

North Carolina.—Common carriers are made liable for death or injury of any of their employees due in whole or in part to the negligence of any officer, agent or employee, or because of any defect or insufficiency due to negligence in any of their equipment. The defense of contributory negligence is modified and together with the defense of assumed risk is abolished where the violation of any safety statute contributed to the death or injury of the employee. Contracting out is forbidden. (C. 6. In effect, February 3, 1913).

North Dakota.—(See "Railroads and Streetcars", p. 341).

Ohio.—In case of death due to a mine accident, the law is amended to permit the recovery of damages by parents and next of kin as well as by the widow or lineal heirs of the deceased. (H. B. 49. Approved, March 11, 1913).

Wisconsin.—The defense of contributory negligence is abrogated for railroad companies in cases where violations of a safety statute contributed to the death or injury of the employee; in other cases contributory negligence shall not be a bar to recovery, but damages shall be diminished in proportion to the amount of negligence attributable to the employee. Devices to exempt the company are void, but the company may deduct from damages any sum it has contributed to the relief of the employee. (C. 644. In effect, July 23, 1913). (See also, "Workmen's Compensation and Insurance", p. 394).

Wyoming.—Operators of railroads are liable for injuries resulting in whole or in part from the negligence of any of their officers or agents and from any defect or insufficiency due to their negligence in any of the equipment. Contributory negligence will not bar an employee from recovery, but damages must be in proportion to negligence; except that if the injury has been contributed to by the violation of any statute, the employee may not be held guilty of contributory negligence. He is also freed from the assumption of risks which are due to the negligence of his employer or of any person in the service of his employer. Contracts exempting the railroad from liability are void, and accepting relief or benefits shall not constitute a bar to any cause of action brought under the act; but the employer and employee may subsequent to the time of the injury agree upon a settlement. (C. 132. In effect, March 7, 1913).

C. WORKMEN'S COMPENSATION AND INSURANCE

Workmen's compensation laws were enacted in 1913 in the states of Connecticut, Iowa, Minnesota, Nebraska[1], Oregon, Texas, and West Virginia, while the laws of California, Illinois, Nevada, Ohio and Wisconsin were recast. The Oregon law was referred to the people, and was adopted at the election of November 4, 1913. Adding these laws to those passed in 1912 (Arizona, Maryland, Michigan and Rhode Island) and in 1911 (California, Illinois, Kansas, Massachusetts, New Hampshire, Nevada, New Jersey, Ohio, Washington and Wisconsin), we find that there are twenty-one states of the union now having compensation legislation of some kind, or twenty-two, if the optional act of New York of 1910 is to be counted.

[1]The Nebraska law was referred to the people, for a vote in November, 1914.

Compulsory compensation laws are now found in California, Ohio and Washington, while in Connecticut, Illinois, Iowa, Kansas, Minnesota, Nebraska, Nevada, New Jersey, Oregon and Wisconsin, election is presumed. Nevada, Oregon, Washington and West Virginia limit insurance to a state fund, while California, Michigan and Ohio permit, in addition to the state fund, insurance in regulated mutuals or in private companies, or establishment insurance. Massachusetts, Texas and Wisconsin offer insurance in state encouraged mutual companies or in private insurance companies. Mutual companies are also authorized and regulated in Connecticut, Iowa, Kansas, Minnesota and Nebraska. The Ohio provision of 1911, requiring employees to contribute to the fund, is omitted this year, but this provision is included in the new Oregon and West Virginia acts. The minimum compensation in case of death is raised in New Jersey and in Wisconsin. Employees of the state or of some of its political subdivisions are now included in California, Connecticut, Illinois, Iowa, Kansas, Massachusetts, Michigan, Minnesota, Nebraska, Nevada, New Jersey, Ohio, Washington and Wisconsin. The value of commissions to administer the compensation acts was recognized in Nevada and Illinois, where after a year's experience the laws were amended to include this provision. In addition to these two states, commissions or boards administer these laws in California, Massachusetts, Michigan, Ohio, Oregon, Texas, Washington, West Virginia and Wisconsin—a total of eleven states. Constitutional amendments permitting the enactment of compulsory laws were adopted in Ohio and California in 1911, in Vermont and New York this year, and an amendment is to be submitted to the people at the next election in Wyoming.

a. New Acts

As compensation laws multiply, the details of their provisions naturally lose in general interest; they become stereotyped and for some time to come will probably be liable to change, as experience reveals the need of amendment. In a summary review it is therefore sufficient to classify types, point out tendencies, and call attention to provisions of exceptional significance.

1. *Elective and Compulsory Laws:*—In view of the adverse decision of the court of appeals of New York, there is very little disposition in other states to take any chances with compulsory legislation, and in the absence of express constitutional sanction the

new laws are of the pseudo-elective type which uses every device and pressure deemed calculated to secure adoption of the act by both employer and employee. The use for this purpose of the allowance or disallowance (as the case may be) of the defenses modifying employers' liability is illustrated by the Connecticut act. Part A abolishes the common law defenses, and Part B offers the compensation plan. §4 provides: "Every employer not accepting part B of this act shall be liable to action for damages on account of personal injury to his employees in accordance with the provisions of Part A of this act, and every employee not accepting part B of this act shall lose all rights and benefits of part A of this act with reference to any employer who continues to accept said part B". Nebraska and Minnesota are equally explicit in stating this double-edged coercion (§§3, 4 in each act).

In Iowa (§5) and Nevada (§5), the rejection by both employer and employee is expressly treated like rejection by the employer alone, so that the common law defenses are lost; but that is also the effect of the provisions of the other elective laws of 1913. And Iowa (§3) in addition adopts the most drastic safeguards against possible pressure put upon the employee to reject the act: his notice of rejection must be accompanied by an affidavit stating who, if any person, requested, suggested or demanded of him to exercise his right to reject, such affidavit to be sworn to before some one absolutely unconnected with the employer's business; and if the suggestion came from the employer or his agent, the rejection is to be conclusively presumed to have been procured through fraud, and of no effect.

In Nevada (§4) the election not to accept must be renewed annually; in West Virginia (§22) the employee is deemed to accept if he remains in the employment of an accepting employer, while in Texas the employees of an employer who is insured under the law are simply deprived of the right to sue for damages (Pt. I, §3). It will be for the courts to judge whether these statutes grant a genuine election, and thus far the point has not been squarely adjudicated. Iowa seems indeed to have ventured upon absolute compulsion; for §1 of the Iowa statute provides that the employer shall not be relieved from the statutory compensation until 30 days after the filing of this notice with the industrial commissioner.

In California and Ohio constitutional amendments have been

adopted since 1911 permitting workmen's compensation or insurance upon the new principle, and both states have accordingly made their laws compulsory. In Ohio the legislative authority was qualified by preserving the employee's right of action when injury, disease or death arises from failure of the employer to comply with any lawful requirement for the protection of the lives, health and safety of employees. Such a qualification may work considerable hardship upon employers in view of the recent type of factory legislation which simply lays down the requirement that the workplace must be safe and wholesome, unless "requirement" is construed to mean a specific requirement imposed by statute or by administrative order. Like the reference in the new constitution of Ohio to an insurance fund "to be created by compulsory contributions thereto by employers", which necessitated the abrogation of the 10 per cent contribution by employees, this illustrates the tendency of special constitutional amendments to usurp the function of legislation.

Both California and Ohio also leave the application of the act to the option of the parties in those cases which the compulsory provisions do not reach. (Cal. §87; Ohio §24). In Ohio this practically means the option of the employer only, for the employee is deemed to waive his right of action if he continues in the service with notice that the employer has insured. Such a one-sided option is in reality an imposition, and places the two parties in a position of inequality. It may be contended that the result is not different from what it would be if the employer were permitted to make it a condition of the contract of employment that the employee should consent to accept insurance. If this be true, it is also true that such contracts are distinctly contrary to the policy of American law. If the legislature wanted to make insurance optional with the employer alone, why should it not say so in plain terms? The tendency of legislating in the matter of workmen's compensation by indirection is unfortunate. But this particular favor toward employers is offset in Ohio by a peculiar provision (§54) forbidding insurance of employers' liability for damages unless the insurance contract also provides for compensation to employees, so that any employer who does not elect to come under the act must go uninsured or pay for double insurance. In California and Nevada their earlier compensation acts of 1911, so far as not inconsistent with the later acts, are not repealed. The effect of this double legislation is confusing.

In view of the general adoption of the elective system figures as to the relative number of acceptances and non-acceptances would be of great interest. Some indication is perhaps afforded by the accident reports in Illinois. Of 589 fatal accidents reported, 183 came under the compensation law, and 406 fell outside. Of 12,139 non-fatal accidents, 8,730 occurred to employees operating under the law and 3,409 to those not under the law. In Michigan 9,796 employers with 454,636 employees were operating under the act in August, 1913. A considerable adhesion to the act may be inferred from these figures.

Scope of the Acts:—Connecticut is the only one of the new states to create compensation laws in 1913, which in terms excepts neither farm nor domestic labor. The failure to exclude these classes expressly is however practically of little importance, since in the great majority of cases these classes fall within the exception of employers having regularly less than five employees. The latter exception is also found in Nebraska and Texas, while Nevada covers all employing two or more persons, and Iowa, Minnesota and Oregon make no exception on the basis of numbers. Texas excludes laborers working for a cotton gin. Nevada seems to be the only state which does not except either casual workers, outworkers, clerical employees, or workers not in the regular trade or business of the employer, or one or more of these classes from the operation of the act.

There is a tendency to extend the benefit of the law to public employees; and provisions to that effect are found in Connecticut, Nebraska, Iowa and Nevada; this class is added in Illinois and Ohio; Minnesota (§34 d) covers the subdivisions of the state, but not the state itself, while Oregon (§14) expressly excludes municipal corporations.

Oregon (§§13 and 14) and West Virginia are the only two new states which make the law applicable to specific classes of occupations; the tendency toward acts of general scope subject to exceptions seems general. Illinois amends its list of hazardous occupations by making the last one read: "Any enterprise in which statutory or municipal ordinance regulations are now or shall hereafter be imposed for the regulating, guarding, use or the placing of machinery or appliances, or for the protection and safeguarding of the employees or the public therein". There is little relation between the hazard

of the occupation to employees, and requirements for the protection of the public, and this basis of classification may justly be questioned.

There is no noteworthy innovation in the provisions seeking to prevent an evasion of liability by the employment of contractors (Connecticut §5; Iowa §17a; Minnesota §32; Nebraska §16; Texas Pt. II, §6).

None of the new acts excludes in terms alien dependents of killed employees; Nebraska (§22), Minnesota (§23) and West Virginia (§39) designate the respective consular officers as the legal representatives of the deceased or his dependents for the purpose of receiving compensation. Connecticut (§10) allows only half amounts to non-resident aliens unless residing in Canada, and in Oregon (§21 k) their benefits are commuted at three-fourths of their present value.

Compensation and Benefits:—Generally speaking the acts follow the established course of legislation: benefits generally less than full indemnity based on previous earnings and in part proportioned to actual loss; subject to maximum and minimum amounts and payable in installments. The measured schedule for specific forms of injury (loss of hand, foot, eye, etc.), is now the general rule, being adopted also in Illinois by the new revision of the law. In Iowa, Minnesota, Connecticut and Nevada, disability benefits are limited to a definite period (400 weeks, 100 months, 10 years),—a limitation also found in the earlier legislation, which must inevitably operate as a great hardship. Nebraska after 300 weeks reduces the benefit by one-half. In Ohio, Oregon, West Virginia, and California some or all of the disability payments extend during the entire period of disability.

The act of West Virginia is distinguished by an exceptionally low scale of benefits, the maximum amount in case of temporary disability being $8 per week, in case of permanent disability $6 per week, and in case of death $20 per month, or $35 if there are children in addition to a parent.

Connecticut requires in case of the death of an employee leaving no dependent that $750 be paid to the state treasurer for the expenses of the compensation commissioners (§9); another interesting provision of the law of Connecticut (§7) is that the pecuniary liability of the employer for medical services shall be limited to such charges as prevail in the same community for similar treatment of injured

persons of a like standard of living when such treatment is paid for by the injured persons. The Texas law provides for compensation in case of fatal accidents to "legal beneficiaries" of deceased, whether dependent or not, and among such beneficiaries expressly includes creditors.

The most striking departure from the usual system of compensation is found in the law of Oregon (§21) which in this respect imitates the Washington law: the benefits have no relation to previous earnings (except where the beneficiaries are dependents other than widow and young children), but are fixed sums graded according to the nature of the injury (death, permanent total disability, permanent partial disability). In case of partial disability a uniform amount of $25 per month is paid, but the period of payment varies according to the particular kind of injury or loss. It will be noted that the Oregon act is an insurance act.

Administrative Machinery:—There is a tendency to create special official agencies to administer compensation acts. The new Illinois law supplies this defect of the law of 1911 by providing for an industrial board. Of the new laws, only those of Nebraska and Minnesota regard a special administrative agency as superfluous. Minnesota has a feeble provision (§24 a) that the labor commissioner shall advise employees as to their rights and shall observe the operation of the act. Nebraska simply requires accidents to be reported to the labor commissioner.

The new officials (Connecticut: compensation commissioners; Iowa: industrial commissioner; Nevada: industrial commission; Oregon: state industrial accident commission; West Virginia: public service commission; Texas: industrial accident board) are appointed by the governor for terms of years. Iowa (§40), apparently in order to avoid the control of nominations by improper influences, has a somewhat novel requirement that all recommendations to the governor for the office of industrial commissioner must be in writing.

Settlement of Controversies:—Where compensation is taken care of by state insurance, this matter stands less in need of statutory regulation than where claims are preferred against private employers or insurers. In the latter case, all laws except that of Minnesota make some provision for arbitration or an administrative hearing. Minnesota (§30) permits a submission for summary determination

to a judge of the district court. Nebraska (§37) provides for arbitration or a suit in equity in a district court. Connecticut allows an appeal to a court from the award of the compensation commissioner (§§24, 25); Iowa (§§26, 33) permits the arbitration awards to be reviewed by the industrial commissioner who is himself chairman of the arbitration committee; and neither in Illinois (§18, where the law of 1911 carefully preserved the right to judicial review) nor in Iowa (§27) is there to be any independent judicial inquiry on questions of fact, but review by the courts is limited to questions of law. In California the decision of the commission may be impugned not only for error of law, but also as being unreasonable, procured by fraud, or not supported by the findings of fact (§84). But in Texas either party has the option of applying to the courts for adjudication instead of submitting to the industrial accident board. The reconciliation of these summary proceedings with the right to trial by jury remains an open question, which the supreme court of Wisconsin, in sustaining the compensation law of that state (Borgnis v. Falk, 133 N. W. 20) ignored. In view of the great inconvenience of submitting compensation cases to juries, it would be proper to provide for forms of election or acceptance including a waiver of the right to trial by jury, and such an express waiver would probably remove the constitutional difficulty. In Connecticut (§22) and Minnesota (§31 a) all settlements between employer and employee require administrative or judicial approval; in Iowa (§19) any compromise made within twelve days of the accident is presumptively fraudulent.

Liability and Insurance:—Of the new acts those of Nevada, Oregon and West Virginia are purely public insurance acts, in which provision for compensation is made exclusively through and out of a state managed insurance fund, leaving an individual employer's liability only as a penalty for default.

Oregon (§19) and West Virginia (§24) place employees under contribution, the amount in Oregon being ½ per cent of their wages, while in West Virginia the amount payable by them is 10 per cent of the rate. In this as in most other features West Virginia follows the original Ohio law of 1911, while the constitutional amendment of 1912 required this contribution to be dropped from the revised Ohio law of 1913.

In West Virginia the rates are fixed by the commission (§24),

and in Nevada the statutory rates are subject to change by the industrial commission (§§21, 21-a). In Oregon where the rate is fixed by statute, the state contributes one-seventh of the entire fund (§20). In West Virginia the employers' contributions are limited not to exceed 1 per cent of payroll, and the state contributes the expenses of administration (§18).

While the acts of Connecticut, Iowa, Minnesota and Nebraska are compensation acts placing the primary liability upon the employer, only Nebraska and Minnesota are content to leave the matter of making financial provision for compensation entirely to the discretion of the employer. The other acts realize that the purpose of the law is only half accomplished if it may result in an unenforceable compensation award against an insolvent employer. This contingency the majority of the American laws now seek to meet by various requirements. In Connecticut (§30) the employer is required to insure unless he either gives satisfactory proof of his financial ability to perform his obligations under the law, or files adequate security with the insurance commissioner; in Iowa (§44) the only alternative to insurance is the establishment of some separate compensation or benefit scheme subject to the approval of the industrial commissioner, which must confer benefits not inferior to those of the law. The revised law of Illinois (§26) requires insurance in the absence of other provision approved by the industrial board for the securing of compensation normally required to be paid. Minnesota (§31-a) at least encourages insurance by allowing the employer to substitute the liability of a solvent insurance company for his own.

A number of laws facilitate insurance by making provision for employers' cooperative insurance, California joins Michigan in creating a voluntary state insurance fund, and Texas joins Massachusetts in establishing a voluntary employers' mutual insurance association. In California the commission determines the rates, which must be based upon the reserve and not upon the assessment plan (§§34, 38, 40). Risks may be declined only where the minimum requirements of the commission are not observed (§39, (3)).

The provision is common that insurance policies, to be acceptable, must contain clauses to the effect that as between the employee and the insurer, knowledge of the injury on the part of the insured (employer) is knowledge on the part of the insurer, that the insurer

shall be bound by the awards against the insured, and that if the insured becomes insolvent while the policy is in operation or any compensation is unpaid the person entitled to compensation may enforce his claim against the insurer to the same extent that the insured could have enforced his claim against the insurer had he paid compensation (Conn. §§31, 32; Minn. §31-a; Neb. §47).

Voluntary Compensation or Insurance Schemes:—Iowa (§§44-46) and Connecticut (§29) permit, subject to administrative approval, the substitution of private systems of compensation not conferring inferior benefits to those of the act, and (in Connecticut) not imposing any obligation upon the employer to join. If the scheme provides for contributions by employees, there must be additional benefits commensurate to such contributions. Minnesota (§31-a) upon the same condition allows the employee to pay part of the employer's insurance premium.

b. Acts Supplementary to Existing Laws

California.—All moneys paid in to the accident prevention fund are appropriated to be used by the industrial accident commission for the enforcement of safety laws. (C. 178. In effect, August 10, 1913). An industrial accident fund is created, into which the industrial accident commission is to pay all fees, and upon which the commission may draw for contingent expenses. (C. 179. In effect, August 10, 1913). The sum of $100,000 is appropriated for the state compensation insurance fund. (C. 180. In effect, August 10, 1913).

Iowa.—By a special act the new compensation law does not apply to injuries sustained prior to the time the act becomes effective. (C. 148. In effect, July 4, 1913).

Kansas.—County and municipal work are included in the scope of the workmen's compensation act, and agricultural pursuits are exempted. The number of employees necessary to bring an establishment under the act is reduced from fifteen to five, and mines are included without regard to the number of employees. Injuries which occur to the employee while going to or returning from his duties, and which are not proximately caused by the employer's negligence, are excluded. Marriage of a dependent terminates the compensation of that dependent, and the compensation of any minor not physically or mentally incapable of wage earning ceases when

the minor reaches the age of eighteen. Payment for total or partial disability is limited to eight instead of to ten years; claims must be filed within three instead of six months, but "in case of incapacity of an injured employee" the limitation "shall not run during such incapacity". Election by employers and employees is now presumed unless the secretary of state is notified to the contrary. (C. 216. In effect, March 12, 1913).

Massachusetts.—Laborers, workmen and mechanics employed directly or indirectly by the state are entitled to compensation under the workmen's compensation law of 1911; counties, cities or towns, or districts having the power of taxation may elect, in a manner provided in the act, to compensate such employees. Any person entitled to compensation and also entitled to a pension for the same injury must elect which he shall receive; compensation is also forfeited if he received a pension by special act. (C. 807. In effect, June 16, 1913). The sum of $10,000 a year which was authorized in 1911 for necessary expenses of the industrial accident board is hereafter to be designated each year by the general court. (C. 48. In effect, February 4, 1913). In case a hand, foot, thumb, finger or toe is injured so as to be permanently incapable of use, compensation must be provided in the same amounts as though the member had been entirely lost. (C. 445, amended by C. 696. In effect, May 22, 1913). If compensation has been paid an employee through the employee's compensation association, in a case where a legal liability was created in some other person, and if the association enforces the liability of the other person and recovers a sum larger than that which it had already paid, four-fifths of the excess must be given to the employee. (C. 448. In effect, April 7, 1913). Masters of and seamen on vessels engaged in interstate or foreign commerce are no longer covered by the workmen's compensation act. (C. 568. In effect, April 28, 1913). (See also "Accidents and Diseases—Reporting", p. 304; "Pensions and Retirement Systems", p. 409).

Michigan.—Incorporated public boards or public commissions authorized to hold property and to sue or be sued are made employers under the workmen's compensation act, and compensation paid by them is to be treated as part of their necessary expenses. (C. 50. In effect, June 14, 1913). The industrial accident board may appoint an assistant secretary at $1,500 per year (C. 156. In effect, June 14, 1913). A sufficient amount must be retained in the accident fund to pay current expenses, and the balance may be invested

in recognized securities by the commissioner of insurance and the state treasurer acting together, with the approval of the state board of auditors. (C. 79. In effect, June 14, 1913). The annual appropriation is increased from $25,000 to $40,000. (C. 259. In effect, May 7, 1913).

New Jersey.—The workmen's compensation act is amended to cover employees of the "state, county, municipality, or any board or commission, or any other governing body, including boards of education", with the exception of persons receiving over $1,200 a year or holding elective offices. (C. 145. In effect, March 27, 1913). The loss of one-half of the first phalange of a finger or thumb, and the permanent impairment of the "usefulness of a member or any physical function" are included for compensation; burial expenses are reduced from $200 to $100 and medical care for the first two weeks from $100 to $50; the classification of dependents by relationship is abolished, and the minimum compensation in case of death is raised from 25 per cent to 35 per cent of wages; the maximum age at which orphans may receive payments is raised from sixteen to eighteen, while orphans who are dependent because physically or mentally deficient may receive benefits during the whole period of compensation; procedure in case of dispute is modified, lump sum commutation restricted, and liability of third persons recognized, the employer being held liable only for the amount by which damages recovered from the third person fall short of compensation due. (C. 174. In effect, April 1, 1913). Any duly authorized guardian appointed by the surrogate or orphan's court of the county for a minor under twenty-one who is entitled to compensation may compromise in behalf of such minor in any disputed claim, subject to approval of the county court of common pleas. (C. 301. In effect, April 9, 1913). The employers' liability commission established to observe the operations of the act may call upon the department of labor to do all clerical and statistical work heretofore performed by the commission. (C. 177. In effect, April 1, 1913).

Ohio.—Discrimination against non-resident dependents of workmen killed in this country is forbidden, and they must be paid the same compensation as dependents here. The consular office in the country where the dependents reside must furnish information to the industrial commission of Ohio. (H.B. 526. In effect, August 5, 1913). Any society limiting its membership to one hazardous

occupation may issue benefit certificates up to the age of seventy years. (S.B. 33. Approved, February 26, 1913).

Pennsylvania.—Cities of the first and second class may grant employees during absence caused by "injuries, sickness, or disablement of any kind whatever, sustained in the performance of their duties", full pay during disability, not to exceed one year. (No. 326. In effect, June 12, 1913).

Rhode Island.—The compensation law of 1912 is amended to require records of proceedings to be filed with the clerk of the superior court. (C. 936. In effect, April 29, 1913). No savings or insurance of an injured person, nor any benefits other than those derived from his employer may be taken into consideration in determining the amount of compensation to be given in case of injury. Penalty, for an employer who delays or refuses payment in violation of the provisions of this act, $100-$500, or imprisonment not exceeding one year, or both (C. 937. In effect, April 29, 1913).

Washington.—The industrial insurance act is amended so that the payments previously authorized if the injured workman died during the period of "total disability" are now payable if he dies during the period of "permanent total disability." (C. 148. In effect, June 13, 1913). $4,000,000 is appropriated for payment of claims. (C. 98. In effect, June 13, 1913).

Wisconsin.—The workmen's compensation act is reenacted with many amendments. The defense of contributory negligence is abrogated for the employer having four or more employees in a common employment who does not elect compensation, and employees going to or from work in the ordinary way on the premises of the employer are deemed to be employed. Wilful misconduct is replaced by intentional infliction of injury as a bar to compensation. Permanent total disability is defined, and a schedule of injuries is given for which compensation for permanent partial disability is payable for stated periods. Maximum benefit for permanent total disability and for death during permanent total disability is increased to six times annual earnings. The state, county, or municipality may require a bond from a contractor as protection against compensation to employees of the contractor or of a sub-contractor under him. (C. 599. In effect, June 30, 1913).

c. Constitutional Amendments

New York.—The proposed amendment to the constitution, permitting the passage of a compulsory compensation act, was passed by the legislature for the second time in accordance with the constitutional provision for amendments, and was adopted by the people in the election of November 4. (C.R.)

Vermont.—An amendment to the constitution permits the general assembly to pass compulsory compensation laws and to designate the classes of employers and employees to which such laws shall apply. (C. 254, art. 32. Adopted by the people, April 8, 1913).

Wyoming.—A constitutional amendment will be submitted at the next general election which, if ratified, will permit the enactment of a compensation law applying to all extra hazardous employments and providing for the creation of a fund to be paid into the state treasury. The right of an employee to compensation shall be in lieu of any right of action against an employer who contributes to the fund in favor of any injured person. (C. 79. In effect, February 26, 1913).

HOURS

A. PUBLIC EMPLOYMENT

Ohio and Texas are this year added to the twenty-four states and the federal government which have enacted laws limiting hours of labor on public work to eight a day. The Ohio law enacted in accordance with the constitutional amendment of 1912, and the amended Oregon and Wyoming laws, specifically include contract work done for the state. In Idaho and New York certain employees in state institutions and in Kansas employees of municipal light or water plants owned or operated by second and third class cities and towns, are exempted from the hour limitation laws. Pennsylvania, by a proposed constitutional amendment adopted by the legislature of 1911 and again this year, hopes to give the legislature power to regulate hours, wages and conditions of work of public employees. Employees in the federal service engaged in dredging or rock excavation in any river or harbor thereof are specifically brought under the federal eight-hour law.

Idaho.—Agricultural and domestic laborers employed by state institutions are exempt from the operation of the eight-hour law for public work. (C. 165. In effect, May 11, 1913).

Kansas.—Cities of the second or third class owning or operating municipal light and water plants are exempt from the law limiting hours of labor for employees to eight a day on public works. (C. 220. In effect, April 30, 1913).

Massachusetts.—Cities or towns which have not yet agreed to the eight-hour day for city or town employees as provided two years ago, must submit the question to referendum at the next annual municipal election, and, if defeated, the question must be submitted every two years thereafter, upon request of 25 per cent of the last preceding vote cast in the city or town for the governorship. (C. 822. In effect, June 16, 1913).

New Jersey.—The eight-hour law enacted in 1911 is rewritten to include work done in furnishing any materials manufactured within the state, to permit overtime only for the protection of human life or property, to require the prevailing rate of wages to be paid, and to increase the penalty to $50-$500, or imprisonment for not more

than six months, or both, for each offense. Existing contracts are exempt. (C. 253. In effect, April 3, 1913).

New York.—Mechanics employed in state institutions, formerly exempt from the eight-hour law for public employees, are now included in its provisions, and stationary firemen in state hospitals as well as other persons employed in state institutions are specifically exempted. Penalty, see p. 359. (C. 494. In effect, May 14, 1913). September is added to the list of months in which per diem employees of the city of New York may be allowed their annual two weeks' vacation with pay. (C. 121. In effect, March 25, 1913).

Ohio.—No person or association employing or controlling workmen by contract or otherwise, shall require or permit more than eight hours a day and forty-eight a week on any public work of the state or any political sub-division or on any work aided by the state. Cases of emergency, and police- and firemen are exempt. Maximum penalty, $500, or six months' imprisonment, or both. (H.B. 100. The law applies only to contracts let on and after July 1, 1915).

Oregon.—Every person contracting for work with the state, county, school district, municipality or its sub-division, must pay promptly all persons supplying labor or materials and must not permit any claim or lien to be filed or prosecuted. Every contract must contain a condition that no employee may be employed either directly or through another, for more than eight hours a day or forty-eight a week unless absolutely demanded by public policy or in cases of emergency, or when no other competent labor is available. Double wages must be paid to employees working overtime. Any contract may be cancelled at the election, if a contractor has willfully failed or refused to fulfil his agreement. Penalty for violating the eight-hour provision, $50-$1,000, or imprisonment from five days to one year, or both. (Cs. 1, 61. In effect June 2, 1913).

Pennsylvania.—The legislature again adopted the proposed amendment to the constitution permitting the regulation of the wages, hours, and conditions of work of public employees. (H.J.R. 70. Referred to the people, November 4, 1913).

Texas.—Hours of labor are limited to eight a day on public work which is for the purpose of constructing, repairing or improving buildings, bridges, roads, highways, streams, levees or other similar work. Exception is made in case of danger to human life

or property when wages must be paid on the eight-hour basis; at all times wages must not fall below the current rate paid in the community where the work is done. Existing contracts are exempt and the act does not affect the present law governing the work of convicts. Penalty for permitting or requiring work contrary to the provisions of the law, $50-$1,000, or a maximum imprisonment of six months, or both, for each day's violation. (C. 68. In effect, March 31, 1913).

Wyoming.—Hours of labor for workmen employed by the state or any political subdivision are limited to eight in one day, whether work is done by contract or otherwise. Emergencies caused by fire, flood, or danger to life or property, and work upon public defenses in time of war, are excepted. Penalty, $100-$500, or imprisonment from one to six months, or both. (C. 90. In effect, February 26, 1913).

United States.—Dredging or rock excavation in any river or harbor thereof, is brought under the law which limits the employment of laborers and mechanics by the United States or the District of Columbia or by any contractor or subcontractor upon any public work, to eight hours in any one calendar day, except in cases of extraordinary emergency. Contracts entered into before the passage of the act or under provisions of appropriation acts passed prior to this act are exempt. Maximum penalty for requiring or permitting a violation $1,000, imprisonment for six months, or both. (Public 408, 62nd Congress, 3rd session. In effect, March 1, 1913).

B. PRIVATE EMPLOYMENT

The regulation of the hours of work for men outside of public employment, work in mines, and in connection with the movement of trains, has progressed very slowly in this country. But an important decision was given this year in Mississippi where the state supreme court upheld a 1912 law limiting hours of all employees in factories to ten a day (the case is now before the federal court). Oregon this year enacted a similar measure but permitted three hours' overtime with additional pay; Missouri restricted hours to eight a day in silica mining and plate glass manufacturing; and Louisiana passed an eight-hour day measure for stationary firemen. Massachusetts and New York enacted effective one-day-rest-in-seven laws and, with Ohio, regulated hours on street and elevated cars and

subways; New York also required two rest days a month for telegraphers and other employees connected with the movement of trains. California and Nevada limited hours of trainmen and train dispatchers, and Nevada and New Hampshire regulated employment on legal holidays. Colorado in order to avoid the confusion created by the adoption of two eight-hour laws for miners, at the election in November, 1912, repealed both and reenacted her 1911 eight-hour law, including a "safety clutch" declaring that the law is "necessary for the immediate preservation of the public health and safety", thereby placing it in operation at once without submission to referendum vote. A demand for the federal control of hours of labor was made this year in Massachusetts where the legislature petitioned congress to submit to the states a constitutional amendment permitting, "in the interests of justice and uniformity", the regulation of hours by the federal congress.

California.—The act making it unlawful to require or permit any railroad conductor, engineer, fireman, brakeman, train dispatcher or telegraph operator to remain on duty longer than sixteen consecutive hours is amended to cover the same classes of employees on electric or other railways, with the addition of motormen. The minimum rest period after sixteen hours' continuous duty is increased from eight hours to ten, and no employee in the enumerated classes who has been on duty a total of sixteen hours in any twenty-four may be required or permitted to go on duty again without at least eight consecutive hours' rest. No employee who, by telegraph or telephone, dispatches or handles orders pertaining to train movements may be required or permitted to work more than nine hours in any twenty-four in places continuously operated night and day, or more than thirteen hours in places operated only by day, except in emergencies, when such employees may remain on duty four additional hours in twenty-four not exceeding three days a week. The act does not apply to cases of unavoidable accident or unforeseen delay, or to crews of wrecking or relief trains. (C. 226. In effect, August 10, 1913). The title of the law limiting employment in underground mines, underground workings, smelters and refineries to eight hours within any twenty-four hours was amended so as to mention all of the employments covered by the act. (C. 186. In effect, August 10, 1913).

Colorado.—The employment of men in underground mines, underground workings, open cut workings, open pit workings, smelters, reduction works, stamp mills, chlorination and cyanide processes and coke ovens "shall not exceed" eight hours within any twenty-four, except in emergencies where life or property is in imminent danger. Penalty, $250-$500, imprisonment from ninety days to six months, or both, for every day's violation. (C. 95. In effect, April 3, 1913).

Louisiana.—No "factory, manufacturing establishment, office building, warehouse, work shop, or any business establishment keeping open or running day and night" shall permit, "except in cases of emergency", or compel the stationary fireman to work "consecutively in any one day, more than eight hours", and the refusal to work longer shall not be lawful cause for discharge. In all cities and parishes the chief police officer shall enforce the act. The act does not apply to the petroleum industry, any cotton gin, sugar plantation, or the saw mill industry. Penalty, $25-$100, or imprisonment for not over fifteen days, or both. (No. 245. In effect, August 20, 1912).

Massachusetts.—The law requiring one day of rest in seven in factories and mercantile establishments is similar to the New York law, except that the Massachusetts act makes an additional exemption of employees who care for machinery, who are engaged in the preparation, printing, publication, sale or delivery of newspapers, or those engaged in any labor called for by an emergency which could not reasonably have been anticipated. Hotels, restaurants, drug stores, livery stables or garages, and establishments for the manufacture or distribution of gas, electricity, milk or water are also exempt in the Massachusetts law, but no execption is made for superintendents or firemen in charge, as in New York. Penalty, $50 for each offense. (C. 619. In effect, October 1, 1913). The law regulating the hours of work of streetcar employees is amended to include guards, drivers, brakemen and gatemen as well as motormen, conductors and "trainmen", employed on the street or elevated railway, and to limit hours to nine a day to be performed within an eleven hour day (instead of twelve as before), but an employee may work overtime for extra pay. Threat of loss of employment or refusal of future work or hindering an employee in securing other work is deemed to be "requiring" overtime work within the meaning

of the law. Existing written contracts are exempt. Penalty, $100-$500 for each offense. (C. 833. In effect, July 20, 1913). Time lost on a legal holiday may not be made up by employing workmen in a manufacturing or mechanical establishment for a longer number of hours per day than is permitted by the statutory limit. Maximum penalty, $100 for each offense. (C. 359. In effect, April 25, 1913). Congress is petitioned to propose a constitutional amendment which will permit, in the interest of justice and uniformity, the federal control of hours of labor. (Resolve adopted February 4, 1913).

Missouri.—It is "declared to be unlawful" for employers engaged in silica mining, plate glass manufacturing or smelting "to work their employees" longer than eight hours in a day of twenty-four hours. Penalty, $25-$500. (H.B. 12. In effect, June 23, 1913).

Nevada.—No employee on railroads, or bridges or ferries connected with railroads, may be permitted to work for more than sixteen consecutive hours after which he must not be employed for ten consecutive hours; an employee who has been on duty for an aggregate of sixteen hours in any twenty-four must be allowed eight consecutive hours off duty. But employees controlling or affecting the movement of trains of more than two cars must not be permitted to work for more than eight hours "wholly within the limits of a continuous shift" and may not be employed again until the expiration of sixteen hours; in case of emergency four additional hours of work are permitted on not more than three days a week. The act does not apply to wrecking crews or relief trains, nor to roads which do not maintain a regular night train schedule, nor in case of unavoidable accidents. The railroad commission is to enforce the act. Penalty, $250-$500 for each violation. (C. 283. In effect, July 1, 1913). No person may be employed in any manufacturing, mechanical or mercantile establishment on election day unless such establishment may lawfully conduct business on a legal holiday; in all such establishments each employee must be given at least three consecutive hours off duty during the voting period. Penalty, $50-$100, or imprisonment for twenty-five to fifty days, or both. (C. 15. In effect, February 24, 1913).

New Hampshire.—Employees shall not be "required to work" in any mill or factory on any legal holiday, "except to perform such work as is both absolutely necessary and can lawfully be performed

on the Lord's Day". Maximum penalty, $500. (C. 188. In effect, May 21, 1913).

New York.—Employees in factories and mercantile establishments must be given at least twenty-four consecutive hours of rest in every seven consecutive days. Before operating on Sunday every employer must post a schedule containing a list of his employees who are required or allowed to work on Sunday and designating the day of rest for each employee; a copy of the schedule and any changes made, must be filed with the commissioner of labor. No employee shall be required or allowed to work on the day of rest designated for him in the schedule. Employers must keep time books, open to inspection, with the names and addresses of each employee and the hours worked each day. The law does not apply to janitors, watchmen, superintendents or firemen in charge, nor to employees whose duties include not more than three hours' work on Sundays in setting sponges in bakeries, caring for live animals, maintaining fires, and in making repairs to boilers or machinery. When necessary for the preservation of life, health or property, the industrial board may exempt by written, public order specific cases for designated periods. No Sunday work not now or hereafter authorized by law is authorized by this act. Penalty, see p. 359. (C. 740. In effect, October 1, 1913). The regulation of hours on steam and elevated railroads has been extended to include electric and subway roads. Hours of labor for employees on roads thirty miles or more in length are limited to sixteen consecutive hours and must be followed by ten consecutive hours off duty. An employee who has been on duty for an aggregate of sixteen hours in any twenty-four must be allowed eight consecutive hours of rest before beginning work again, except when an accident or unexpected delay of a train prevents him from reaching his terminal. The commissioner of labor is required to appoint a "sufficient number" of inspectors to enforce these provisions. The term "employee" in this act refers to conductors, engineers, firemen, trainmen, motormen or assistant motormen engaged in or connected with the movement of trains. Penalty, see p. 359. (C. 462. In effect, May 9, 1913). The eight-hour law for railway telegraphers, telephone operators and signalmen is amended to give to signalmen, towermen, gatemen and telegraph or telephone operators in a railroad signal tower or public railroad station who transmit orders or messages for the movement of trains, two rest days of twenty-four

hours each in every month with the regular compensation. In case of overwork in an emergency imperiling life or property, at least an additional one-eighth of the daily wage must be paid in compensation. Penalty, see p. 359. (C. 466. In effect, May 9, 1913). The law regulating public traffic on Sunday is rewritten and clarified, and a new division permits delicatessen dealers to operate on Sundays before ten in the morning and between four o'clock in the afternoon and seven-thirty in the evening. Penalty, see p. 359. (C. 346. In effect, April 22, 1913).

Ohio.—The law requiring eight hours' rest after fifteen hours' consecutive work for employees on railroads is amended to include conductors or motormen on interurban or street railways over four miles in length. Each employee on such street railways and those on railroads over thirty miles long must be allowed eight consecutive hours of rest in each twenty-four hour period. Penalty, $200 for each violation. (H.B. 272. In effect, August 7, 1913).

Oklahoma.—The law prohibiting Sunday labor is rewritten. Servile labor ("except works of charity or necessity") and trades, manufactures and mechanical employment are still prohibited, and in addition public selling on Sunday is forbidden, except in the case of ice, certain articles of food, and medicines and the like. (C. 204. In effect, October 3, 1913).

Oregon.—Work for more than ten hours in any one day in a mill, factory or manufacturing establishment is declared to be physically injurious to the worker, tending to prevent him from acquiring that degree of intelligence necessary to make him a useful and desirable citizen of the state. More than ten hours' work, therefore, in any of the above mentioned establishments is forbidden, but three hours a day overtime at one and one-half the regular wage is permitted. Watchmen and employees making necessary repairs are exempt, as well as cases of imminent danger to life or property. Any employer who requires or permits any employee to work more than the specified number of hours is subject to a penalty of $50-$500 for each day's violation. (C. 102. In effect, June 2, 1913).

United States.—(See "Miscellaneous Industries", p. 351).

IMMIGRATION

In seven states the legislatures dealt with immigration. Commissions to study the problem and to recommend legislation for the benefit of immigrants were authorized in Massachusetts and New Jersey. North Dakota created a board to visit other states and countries for the purpose of inducing immigration, and California established a permanent commission whose powers embrace the whole field of educational, legal and industrial protection of incoming aliens, in cooperation with existing agencies. On the other hand, California joined with Oregon and Washington in urging Asiatic exclusion, and Vermont endorsed the then pending federal immigration bill which was later vetoed by President Taft.

California.—The legislature adopted a resolution urging the extension of the federal Chinese exclusion act to include all Asiatic laborers. (Resolves, C. 13. Filed, February 4, 1913). A commission of immigration and housing is created, to consist of five persons appointed by the governor, to receive necessary expenses but no salary. It must maintain a principal office at San Francisco, but may establish branch offices as advisable, and may engage experts and other employees. It may investigate the "condition, welfare and industrial opportunities" of all immigrants within the state, agricultural and settling possibilities, labor demand and supply, occupations for which immigrants are adapted, and intercommunication between them and activities requiring labor. It may cooperate with federal, state, municipal, philanthropic and private employment agencies to prevent congestion and unemployment, and may publish in English or foreign languages for distribution among immigrants in, or embarked for, California, information for their "protection, distribution, education and welfare". It must cooperate with government and private agencies and the boards of education to bring to the immigrant "the best opportunities for acquiring education and citizenship", encourage naturalization, provide for schools in labor camps, and establish playgrounds, settlements and social centres in cities. It may inspect all labor camps, employment agencies, immigrant banking relations, institutions for temporary shelter, philanthropic distribution societies, housing conditions, sanitary and safety

conditions of work, conditions at landing places and in transportation, complaints of fraud and extortion, and real estate dealings, and shall present to the proper authorities for action thereon all evidence of improper practices, and shall encourage the establishment of legal aid societies. It shall inform the proper authorities of all violations of laws pertaining to payment of wages, child labor, employment of women, factory inspection, weekly day of rest, labor on buildings, white slave traffic, health, tenement houses, and housing conditions. It may enter tenements or dwelling places or other private property and call on public departments for information and records, and it may hold hearings and administer oaths. The commission may not "induce or encourage immigration" into the state or the United States. It must report on January 2, annually, and $50,000 is appropriated for its use. (C. 318. In effect, August 10, 1913).

Massachusetts.—A commission on immigration is created to investigate fully all social and economic conditions affecting immigrants, including laws or agencies concerned with their admission to this country. It is especially charged to investigate means whereby the non-English speaking foreigners may be brought into sympathetic relations with American institutions and customs. The commission is to consist of five unsalaried persons, but is allowed $15,000 for clerical help, traveling and other necessary expenses. A report together with recommendations must be made by the second Wednesday of January, 1914. (Resolves, C. 77. In effect, June 1, 1913).

New Jersey.—The governor may appoint an unsalaried commission of three members, to report on the "conditions, welfare, distribution and industrial opportunities" of aliens, with recommendations for legislation. The commission may send for papers and persons, administer oaths, and employ necessary assistance. Appropriation, $5,000. (C. 92. In effect, March 18, 1913).

North Dakota.—A state board of immigration is created consisting of the governor, secretary of state, auditor, treasurer and attorney general, with the commissioner of agriculture and labor as general executive agent. The governor may appoint agents to visit foreign countries or other states of the United States for the purpose of inducing immigration into the state, and securing laborers and mechanics from other states. The sum of $5,000 is appropriated for the use of the board. (C. 44. In effect, March 20, 1913). If 20 per cent of the legal voters of any county so petition, a special tax

to assist immigration may be levied, which must not exceed one-fourth of one mill on a dollar upon the assessed valuation of all the property of the county. (C. 118. In effect, July 1, 1913).

Oregon.—The legislature adopted a resolution urging the extension of the federal Chinese exclusion act to include all Asiatic laborers. (H.J.M. No. 10).

Vermont.—The congressional delegation from Vermont is urged to advocate and aid the passage of the federal immigration bill. (J.R. 515. Approved, December 10, 1912).

Washington.—Congress is requested to restrict "the influx of undesirable foreigners" anticipated when the Panama canal is opened (S.J.M. 6).

MISCELLANEOUS LEGISLATION

In this section have been analyzed laws in several states which do not properly fall under any of the other heads. California and New York regulated sanitary conditions in labor camps and in company living quarters. Arkansas authorized the engagement of company physicians, to be selected and paid by the employees. Nevada prohibited railroad and transportation companies from requiring their men to purchase uniforms of any particular firm, and other acts relate to the employment of lamplighters, opportunity to vote, and making false statements to or about employees.

Arkansas.—Provision is made whereby employers are required to employ any physician petitioned for by a majority of the employees of any mine, factory, sawmill or other construction work. Employees may also stipulate the salary of the physician, the method of payment, the percentage to be deducted from their wages and the general management and disposition of the fund. The employer may deduct for his services from 10 to 20 per cent of the amount collected. The act must not interfere with any existing system of collecting fees from employees for the maintenance of workmen's hospitals, and it applies only to five counties. Penalty, for first offense, $10-$25; for a second offense, $25-$50; for a third offense $50-$200 or imprisonment for not more than sixty days, or both. (Act 218. In effect, March 29, 1913).

California.—In camps where five or more persons are employed, the bunkhouses, tents and other sleeping places must be kept clean, free from vermin and infectious matter, contain adequate air space, and the bunks must be of iron, canvas or other sanitary material, constructed so as to afford "reasonable comfort". The grounds must be kept free from accumulations of refuse. Enforcement lies with the state board of health which may condemn any unsanitary camp as dangerous to public health. Maximum penalty, $200, or imprisonment for sixty days, or both. (C. 182. In effect, August 10, 1913).

Massachusetts.—Lamplighters in the city of Boston who may be thrown out of work because of a change in the method of street lighting, may, at the discretion of the mayor, be appointed to other

kinds of work for which they are qualified without undergoing the civil service examinations. (C. 344. In effect upon its acceptance by the city council and approval by the mayor of Boston).

Minnesota.—No employer or agent may induce an employee to change from one place to another through knowingly spoken, written or printed false representations concerning wages, character of the work, sanitary conditions or the existence of any strike or lockout. Violation is a misdemeanor. (C. 544. In effect, April 28, 1913).

Nevada—Railroads or transportation companies are forbidden to order, or require, or attempt to require, employees to purchase of any particular firm or at any particular place, any prescribed uniform or clothing to be used by the employee in his work. Penalty, $100-$500, or imprisonment for not more than six months. (C. 132. In effect, March 20, 1913).

New York.—Living quarters, maintained outside a factory by an employer for his employees, either directly or by contract or otherwise, must be kept in a thoroughly sanitary condition. The commissioner of labor may inspect living quarters and the industrial board may make rules and regulations to provide for their sanitary maintenance. Penalty, see p. 359. (C. 195. In effect, April 3, 1913).

Oklahoma.—Persons depriving a member of the national guard of his employment, or threatening to do so, are subject to a penalty of $10-$100, or imprisonment from ten to sixty days, or both. (C. 164, sec. 41. In effect, May 5, 1913).

South Dakota.—Every person who verbally or by any letter or sign falsely reports that any employee of a railroad has received, or failed to collect, money for the transportation of persons or property is subject to a penalty of $100-$500. (C. 299. In effect, March 3, 1913).

PENSIONS AND RETIREMENT SYSTEMS

Although pension and retirement systems for policemen, firemen and other salaried public employees were created in several states, pension systems for employees in private industries received little consideration. Progress was made in Massachusetts, where existing retirement systems were extended to include a larger number of wage-earning public employees. Pennsylvania authorized cities to create pension funds, California created a commission on the subject, and Wisconsin authorized the industrial commission to investigate with a view to establishing pension systems in that state.

California.—The governor is requested to appoint a commission of five, one to be a member of the state board of control, to investigate systems of old age insurance, pensions or annuities, and mothers' pensions or compensation. A report must be made to the 1915 legislature, and $3,000 is appropriated for the use of the commission. (C. 681. In effect, August 10, 1913).

Massachusetts.—A commission on pensions is created consisting of three persons appointed by the governor with the consent of the council. The commission is to investigate existing pension systems of the state, the desirability of a service pension plan to which employees are to contribute, and also to report upon the advisability of a general pension system. Public hearings must be given, and compensation and expenses are allowed as approved by the governor and council. A report must be made by January 10, 1914. (Resolves, C. 106. In effect, July 4, 1913). The retirement system for laborers employed by the city of Boston is amended to give the laborer, after he has become physically incapacitated at the age of sixty and has given twenty-five years of service, a sum equal to one-half of his wages based upon full employment, instead of one-half of what he actually received; the amount to be paid is limited to $360 a year. (C. 367. In effect, March 26, 1913). After receiving the first payment of their pension or annuity, pensioners or annuitants of cities or counties may not be paid for services, except as jurors. (C. 657. In effect, May 16, 1913). Laborers employed in fire and water districts are brought under the acts permitting cities and towns, other than Boston, to establish pension systems. (C. 671. In effect, May 17, 1913). Any woman employed by the sergeant-at-

arms as a cleaner or scrubber, who has become physically or mentally incapacitated at the age of sixty and has been employed for not less than fifteen years, and also any such woman who has been employed for not less than ten years and has become mentally or physically incapacitated by an injury received while performing her duties, may, with the approval of the sergeant-at-arms, be retired from service and receive $3 per week for the remainder of her life. (C. 711. In effect, January 1, 1914).

Pennsylvania.—Cities of the first class may create funds for pensioning employees who have given twenty years of service. Employees shall contribute 1 per cent of salaries every month until retirement, when they receive one-half of the salary received for the two years previous. (No. 461. In effect, July 24, 1913). Cities of the second class may create such funds by deductions of fixed amounts from salaries, or by annual appropriations or by both methods, and may determine conditions of eligibility and amount of the benefit. (No. 38. In effect, April 4, 1913).

Wisconsin.—The industrial commission must investigate the number, condition and welfare of the aged and infirm with a view to establishing old age pensions. It may administer oaths, and must report with recommendations and bills to the next session of the legislature. (C. 185. In effect, May 8, 1913).

years of age, or by the commissioner of the bureau of labor. The governor must appoint to the board one member from a list of five disinterested persons submitted by each party within three days after notice, or if either party fail the governor must appoint directly. The two so appointed must within five days recommend a third member whom the governor shall appoint, or if they fail he shall again appoint directly. The law is obscure, but apparently no arbitration is to be undertaken at the request of both parties unless they agree to be bound by the decision. The board must complete its investigation within ten days, during which no strike or lockout may be engaged in, and must report its decision within five days thereafter. The decision dates from the appointment of the commission, and is binding for one year. Members of the commission receive $5 for each day of service, and necessary expenses; they may summon witnesses, administer oaths and require the production of records, and must hear all interested persons who come before them. The decision must be published in two papers in the county, and copies must be filed with the city or town clerk, the governor, each party to the controversy, and with the labor commissioner. (C. 292. In effect, April 25, 1913).

Kansas.—No injunction may be granted in trade disputes unless both parties are given an opportunity to be heard and notice is served a reasonable time in advance. A temporary restraining order, with a time limit of seven days, may be issued without notice but must state definitely why the threatened injury is irreparable. No restraining order or injunction may prohibit any person or persons from quitting work, from peacefully persuading others to quit, from peacefully obtaining or giving information at a residence or workplace of another, from ceasing to patronize or to employ any party to the dispute or peacefully advising others to do the same, from giving or withholding payments or strike-benefits, from peaceful assemblage in a lawful manner and for lawful purposes, or from doing any lawful thing which might be done in the absence of a trade dispute. (C. 233. In effect, March 18, 1913).

Maine.—When advertising for help when a strike or lockout is declared in his works, an employer must explicitly state that fact, until the board of conciliation and arbitration declares that his business has resumed its normal course. Penalty, $25-$50. (C. 16. In effect, July 11, 1913). The board of arbitration and conciliation

is increased from members three to five. (C. 143. In effect, July 11, 1913).

Massachusetts.—No person may be held for persuading or attempting to persuade another by printing or otherwise to do anything which is not unlawful, unless accompanied by an injury or threat of injury to the person, property, or occupation of the one being persuaded, or unless disorder or any unlawful conduct occurs, or unless the persuasion is part of an unlawful conspiracy. (C. 690. In effect, May 20, 1913). The conciliation and arbitration act is slightly amended and provides that witnesses be hereafter paid the same as witnesses before the superior court. (C. 444. In effect, May 3, 1913).

Michigan.—The penalty for fraudulent use of trade union labels is increased to $50-$200, imprisonment for not over ninety days, or both for a first offense, and to sixty to ninety days' imprisonment for a second offense. (C. 279. In effect, June 14, 1913).

Missouri.—The fee for registering a trade union label is raised from $1 to $5. (S.B. 524. In effect, June 23, 1913).

Montana.—An injunction cannot be granted in labor disputes "under any other or different circumstances or conditions than if the controversy were of another or different character, or between parties neither or none of whom were laborers or interested in labor questions". (C. 28. In effect, February 21, 1913).

Nebraska.—The governor must appoint for two year terms, three persons, one of whom is a member of a labor organization affiliated with the state federation of labor, one an employer, and one neither a workman nor an employer, who together with the chief deputy commissioner of labor shall constitute the state board of mediation and investigation. Whenever a strike or lockout occurs or is seriously threatened the governor may cause one or all of the board to endeavor to bring about an amicable adjustment. A dispute may be submitted to the board by mutual agreement of the contending parties if they agree not to initiate a lockout or a strike during the investigation and to abide by the determination. The board may subpoena witnesses and call for necessary documents, and must render its decision within five days after the investigation. Disputes may also be submitted to local boards of mediators of three persons, one chosen by the employees and one by the employer, the two so chosen to designate a third who shall be chairman. The deputy commissioner of labor must act as secretary to such local board,

which may subpoena witnesses as provided for the state board. Decisions must be rendered within ten days after closing the hearings. Members of local boards receive $4 for each day of service; members of the state board receive $5 for each day of service and necessary expenses. Costs of witnesses in cases submitted voluntarily are assessed equally against the parties to the controversy; in other cases they are to be paid out of the board appropriation of $2,000. (C. 207. In effect, July 17, 1913). Any officer, agent or attorney of any labor organization converting to his own use any money, goods, rights in action or other valuable security or interest earned upon such effects belonging to the organization, shall be deemed guilty of embezzlement. Penalty, same as for feloniously stealing property of equal value. (C. 102. In effect, July 17, 1913).

New Hampshire.—The former temporary arbitration boards are replaced by a permanent state board of conciliation and arbitration consisting of three persons appointed by the governor for three years, with the consent of the council. One member must be an employer or a member of an employers' association, and one a labor organization member and not an employer; these two are to recommend a third, or if they fail within a specified time the governor appoints directly. The other features of the law remain practically unchanged. (C. 186. In effect, May 21, 1913). Persons, corporations or their agents must not coerce or attempt to coerce any person into a written or verbal agreement not to join a labor organization as a condition of employment. Penalty, $200-$1,000, or imprisonment not over nine months, or both. (C. 208. In effect, May 21, 1913). The law on interference with employment is amended to provide that "it shall not be unlawful for any person to reason, talk or argue with, and by arguments persuade or induce such other person to do any act or thing or pursue any line of conduct which is not the commission of an offense under the laws of this state". (C. 211. In effect, May 21, 1913). Employers or their agents advertising for or soliciting help during labor troubles must explicitly mention the existence of the trouble, until the state board of arbitration, upon application of the employer, determines that the business is in normal operation. Maximum penalty, $100 for each offense. (C. 212. In effect, May 21, 1913).

Pennsylvania.—The chief of the bureau of arbitration in the department of labor and industry must endeavor by mediation to effect a settlement of any trade dispute which may arise and which

cannot be readily adjusted. If the settlement cannot be effected by mediation, the difficulties may be arbitrated. (C. 267, sec. 18. In effect, June 1, 1913).

Vermont.—A state board of conciliation and arbitration is authorized, consisting of three persons. The governor is to appoint one employer and one member of a labor organization who is not an employer, they to recommend the third member, or, in case of their failure, the governor appoints; no member may act in any case in which he is "directly or indirectly interested". The board may appoint a paid secretary, and must report to the governor biennially. In case of an actual or threatened strike or lockout in a plant employing ten or more persons the board may be notified by the employer or employees, by the mayor of a city, by the selectmen of a town, or by the governor if in his opinion it will seriously affect public welfare. The board must then endeavor by mediation to obtain an amicable settlement, or to persuade the parties to submit the matter to the board, and may publish a report assigning blame. Applications for arbitration must be signed by employer or employees, or both, or their agents, and must contain a promise not to enter upon a strike or lockout until the decision of the board is given, if made within three weeks. The board shall then investigate, summoning witnesses, administering oaths, requiring the production of records, and hearing all persons interested who come before it. It shall make a written decision which shall at once be made public and a copy filed with the town clerk. The decision is binding for six months or until thirty days after written notice of abrogation given by either party to the other party and to the board. Each party may nominate expert assistants to the board, which may appoint one from among those nominated; the board may also appoint additional experts. (C. 190. In effect. February 1, 1914.

United States.—In appropriating $300,000 for the enforcement of antitrust laws, the proviso was inserted that "no part of this money shall be spent in the prosecution of any organization or individual for entering into any combination or agreement having in view the increasing of wages, shortening of hours or bettering the conditions of labor, or for any act done in furtherance thereof, not in itself unlawful". (Public 3, 63rd Congress, 1st session. In effect June 23, 1913). The Erdman Act of June 1, 1898, relating to labor disputes on railroads is repealed; instead there is established a United States board of mediation and conciliation, to consist of a commissioner

of mediation and conciliation at $7,500 a year, an assistant commissioner at $5,000 a year, and not more than two other government officials, all to be appointed by the President with the consent of the senate. The commissioner holds office for seven years but is removable by the President for misconduct. Whenever there arises between any interstate railroad and its employees a controversy over wages, hours or conditions of employment, which interrupts or threatens to interrupt the business seriously, either party may appeal to the board, which must endeavor to bring about an amicable agreement, or failing in that, to induce the parties to submit the controversy to arbitration. The board may also proffer its services without being appealed to. Arbitration boards are to consist of six, or if the parties at controversy prefer, three persons, one third of whom must be named by each party and the remaining third selected by these. Upon failure of those first named to complete a board of three within five days, or a board of six within fifteen days after the first meeting, the board of mediation and conciliation must name the remaining members. No arbitration may be entered into unless both parties agree to accept the decision as valid and binding, but nothing in the act is to be construed to require an employee to render personal service without his consent, and no injunction or other legal process may be issued to compel the performance by any employee against his will of a contract for service. In its awards the board must confine itself to the questions specifically submitted to it or matters directly bearing thereon. Awards go into operation ten days after filing in a district court of the United States, unless either party files exceptions thereto for matter of law apparent upon the record, in which case they go into effect when such objections have been disposed of by the district court or on appeal therefrom to the circuit court of appeals. Provisions are made for appeals to the board for rulings and interpretations, and for reconvening if jointly desired by both parties. Arbitration boards may employ necessary assistants, and have power to administer oaths, sign subpoenas and require the production of such documents as may be ordered by the United States district court at the seat of arbitration. Each member of a board of arbitration receives such compensation as may be fixed by the board of mediation and conciliation, together with necessary expenses; $25,000 is appropriated in the act for the year ending June 30, 1914. (Public 6, 63rd Congress, 1st session. In effect, July 15, 1913).

UNEMPLOYMENT

Eight states—California, Connecticut, Illinois, Indiana, Massachusetts, Michigan, South Dakota and Wisconsin—enacted laws bearing on unemployment. In Illinois a commission was created to study its causes and effects, and among the many very wide duties conferred upon the new California commission of immigration and housing is the duty to "obviate unemployment". In four states provision was made for free public employment bureaus, and in five states the regulations governing private bureaus were strengthened—excessive fees, fraudulent placements, unsuitable location of offices, and sending applicants to immoral resorts being the main points of attack. In California and Wisconsin entire new codes dealing with the private bureaus were adopted. The free public employment office authorized in Boston under the Massachusetts act is for minors only.

A. COMMISSIONS

Illinois.—A commission to study the causes and effects of unemployment is created, consisting of nine members, three representatives of labor, three of employers, and three disinterested citizens, all appointed by the governor. The commission may employ experts and fix their salaries. A report must be made to the legislature of 1915. Expenses are allowed, but no appropriation was made. (S.J.R. 28. Adopted, April 23, 1913).

B. PUBLIC EMPLOYMENT BUREAUS

California.—(See "Immigration", p. 404).

Illinois.—A free employment office is authorized in any two or more contiguous cities or towns having a combined population of not less than fifty thousand. (S.B. 165. In effect, June 21, 1913).

Massachusetts.—The Boston school committee may establish and regulate a free employment office for minors. No fees may be charged of applicants for work, but the expenses of the office are to be paid out of the school appropriation. (C. 389. In effect, March 28, 1913).

South Dakota.—A bureau of information is created, with the secretary of the state board of agriculture as the state commissioner of the bureau. One section operates as a public employment bureau

with the county register of deeds as county commissioner; he is required to keep a record of applications by employers and employees, in a book with seventeen specified items of information for each different applicant, and any person may register with him by letter, telephone or any other means of communication. Daily advice sheets of entries made must be sent to the state commissioner who must "at once communicate by postal card to each of the two applicants who have registered and come the nearest supplying each other's wants in the same county or nearest county". All records are open to the public. Any officer failing to comply with the law, or any person making false entries for labor wants, is guilty of a misdemeanor. (C. 117. In effect, March 3, 1913).

Wisconsin.—Any county, city, town or village may enter into an agreement with the industrial commission and may expend the necessary money for the joint establishment of a local free employment office. (C. 462. In effect, July 1, 1913).

C. PRIVATE EMPLOYMENT BUREAUS

California.—No person may conduct an employment agency without securing from the commissioner of the bureau of labor statistics a license, which must be conspicuously posted. Upon application for a license, supported by affidavits to the good moral character of the applicant from at least two reputable residents of the city, the commissioner must investigate the character of the applicant and the premises of the proposed agency, for which purpose he may subpoena witnesses and administer oaths. Applications must be acted upon in thirty days, but no license shall be issued for an agency in rooms used for living, boarding, sleeping or serving meals, or in connection with premises where intoxicating liquors are sold. Licenses expire on March 31 after issuance, unless previously revoked, and may not be transferred nor may the agency be removed without the written consent of the commissioner. Fees for licenses range from $10 to $50 and bonds for compliance with the act range from $500 to $2,000, according to the size of the city. Licensed persons must keep in English separate, true, registers of applications for employment and for help, with the date of application, name and address of applicant, amount of fee, nature of the work, and other details, which must be open at all reasonable hours to inspection by the commissioner; they must also furnish true copies of the registers

and make reports as required. Applicants from whom fees are received must be given a numbered receipt in a form approved by the commissioner, and may not be sent to a place of employment without a bona fide order. In case the applicant fails to obtain employment or if he is discharged within seven days the fee must be repaid on demand, and in addition there must be refunded in such cases expenses incurred by the applicant in going to and returning from a place outside the city limits. False advertisements or information are forbidden, and all advertisements and printed stationery must contain the licensed name and address of the agency. No agent shall send a minor under eighteen to any immoral house, place of immoral amusement, gambling resort or saloon, or allow frequenters of such places to frequent his agency, place any child in employment in violation of the child labor law, send an applicant to the scene of a strike or lockout without notifying him and stating on the receipt that such trouble exists, or divide fees with any employer. Theatrical employment agencies are also regulated. Copies of the act must be conspicuously posted in agencies, and the commissioner and his agents must enforce it, having for the purpose the power of arrest. Penalty, $50-$250, or imprisonment for not over sixty days, or both. (C. 282. In effect, August 10, 1913).

Connecticut.—The license fee for private employment agencies has been increased to $25 a year and office sites are made subject to the approval of the commissioner of labor. (C. 4. In effect, April 2, 1913).

Indiana.—The maximum registration fee chargeable by private employment agencies is changed from $2 to 10 per cent of the first month's wages, and this section of the law must be printed on the receipt. The amount of refund in case of failure to secure work is raised from 75 per cent to all of the fee; unless the applicant voluntarily leaves his work without cause. No agency may accept any fee without having a bona fide order for work. (C. 321. In effect, April 30, 1913). "Persons" as well as agencies are included in the prohibition against sending applicants to immoral resorts, and no agency may conduct its business in a building where intoxicating liquors are sold. It is unlawful to send any resident out of the state without having first secured a bona fide order or guarantee of employment from a responsible employer. (C. 353. In effect, April 30, 1913).

Michigan.—Private employment agencies must secure from the commissioner of labor, licenses which are non-transferable, are revokable by the commissioner, and which expire on December 31 of the year of issuance. The fee in cities under 200,000 population is $25, and in cities over 200,000 population is $100. Agencies must keep registers of applying workmen and employers. Receipts must be given for all fees, and no registration fee may exceed $1. The entire fee for procuring one situation shall not exceed 10 per cent of the first month's wages. If the applicant through no fault of his own fails to secure the employment within one month, one-half the registration fee must be repaid on demand. Agencies shall not send applicants to an employer who has not applied for help, nor in any way deceive an applicant, and shall be liable civilly to any person misled into needlessly expending money. Applicants must not be sent to immoral resorts, nor agencies be conducted in connection with any place where intoxicating liquors are sold. The commissioner of labor is to enforce the law. Penalty, $25-$200, or imprisonment for ten to ninety days, or both. (C. 301. In effect, June 14, 1913).

Wisconsin.—The laws governing private employment agencies are repealed and new provisions are enacted. The term "employment agent" is defined at length, and false statements to any one furnishing or seeking employment are prohibited. Agents must not offer work without an order from an employer, and must satisfy themselves that all representations they make are true and cover all material facts affecting the employment in question. They must not share fees with employers, and employers must not receive valuable considerations from applicants or from agents. Agents must have a license from the industrial commission, secured by a $1,000 bond against violation of the act; licenses are non-transferable and must be renewed annually, costing in cities of 30,000 or over $50 for agencies supplying female help only and $100 for other agencies; in other cities, $10 for agencies supplying female help only and $25 for all others. The industrial commission is to enforce the act, and may enter and inspect the records of any employment office; agents receiving blanks from the commission asking information must fill them out satisfactorily, and verify the answers by two witnesses. Agents must file with the commission a schedule of all charges made to applicants for employment or for help, and no agent may charge

a greater fee than scheduled, or charge a registration fee without permission from the commission. The commission may refuse a license if the character of the applicant or of the premises is unfit, or if there are already sufficient agencies in the locality, and may revoke any license for violation of the act. The commission may fix reasonable rules for the conduct of the business, prescribe forms for books, registers, receipts, contracts, and the like, and determine the refunds to be made to applicants who fail to secure employment. (C. 663. In effect, July 26, 1913).

WAGES

Legislation on wages in 1913 was widespread. Besides the minimum wage and related laws which are analyzed under "Woman's Work" (p. 434), acts were adopted in six states affecting the wages of public employees, and in twenty-five states laws were passed affecting the wages of private employees. Massachusetts increased the pay of certain classes of public labor, New Hampshire established a bi-weekly pay day for state employees not on salary, and Nebraska, Oregon and Texas safeguarded wages on public contracts. Laws requiring semi-monthly pay days in a number of private employments were passed in Illinois, Indiana, Louisiana, Michigan, Ohio, Oklahoma, Pennsylvania, and Tennessee, while Maine extended to railroads its existing law requiring wages to be paid weekly. Louisiana and Missouri protected the wages of discharged workmen. Coal mine wages were the subject of special enactments in Ohio, Pennsylvania and Wyoming, the first of which created a commission of five to devise an equitable method of weighing coal at the mines. Wage lien laws were enacted or amended in fifteen states, and Louisiana forbade employers' loaning money to certain employees at more than 8 per cent.

A. PUBLIC EMPLOYMENT

Massachusetts.—The wages of laborers employed directly by the metropolitan park commission and the metropolitan water and sewerage board are increased from $2.25 a day, to $2.50. (C. 685. In effect, June 18, 1913).

Nebraska.—The mechanics' lien law is amended to protect workmen and material men on public buildings, bridges or other public improvements where the general lien provisions do not apply, by requiring the public agencies who enter into contracts to take from the contractors a bond in sum not less than the contract price and protected by sufficient sureties, conditioned for the payment of all labor and material used. (C. 170. In effect, July 17, 1913).

New Hampshire.—All regular employees of the state, not under salary, must receive their wages bi-weekly. (C. 38. In effect, March 19, 1913).

New York.—The law regulating the work of public employees is amended to require that laborers, workmen or mechanics employed

upon or in connection with canal work be paid at least $2 per day.[1] Penalty, see p. 359. (C. 467. In effect, May 9, 1913).

Oregon.—The law requiring contractors on public works to execute a penal bond that payment for labor and materials will be made promptly, is amended to provide that if the state has failed to require the penal bond, it or any political subdivision will be jointly liable for the labor or materials supplied. (C. 27. In effect, June 2, 1913). (See also, "Hours—Public", p. 397).

Texas.—In addition to the usual penal bond contractors for public work must agree to pay promptly all persons supplying them with labor or materials. The right to maintain an action is given in case of non-payment. (C. 99. In effect, July 1, 1913). (See "Hours—Public", p. 397).

B. PRIVATE EMPLOYMENT

California.—"Seasonal labor" is here defined to be work performed by a person employed for more than one month, where wages are to be paid not at fixed intervals but at the termination of the employment, and where the work is to be done outside of the state but the hiring and paying both occur in the state. Upon application of either employer or employee the wages for seasonal labor must be paid in the presence of the commissioner of the bureau of labor statistics or an examiner appointed by him. The commissioner shall decide all disputes, must reject all deductions from wages made for gambling debts or liquor sold to the employee, and must file a copy of his award, which may be made the basis of a prosecution to recover the amount still due. The commissioner or examiner may compel the attendance of persons and the production of records, and may administer oaths. The act does not apply to seamen or other persons, the payment of whose wages is regulated by federal statute. (C. 198. In effect, August 10, 1913). The lien law is amended by removing the restriction which limits liens on improving lots to incorporated cities or towns only, by including work upon any tract of land, and by providing that where the work done is for any municipal board or officer the time limit for filing claims shall not begin until the work has been accepted by the

[1]An opinion of the attorney general, dated June 3, holds that this chapter is repealed by chapter 494 (see "Hours—Public", p. 397) which was enacted later and does not contain this change.

officials in charge. (C. 189. In effect, August 10, 1913). Wage or salary assignments must be made in writing by the wage-earners, and, in case of married persons, the consent of the husband or wife of the assignor must be attached, or of the parent or guardian if the assignor is a minor. Assignments are valid only for wages already earned except to a person furnishing necessaries and then only for an amount covering the cost of the necessaries. (C. 287. In effect, August 10, 1913).

Colorado.—(See "Mines", p. 324).

Florida.—The law which prohibits the securing of advances upon fraudulent contracts to perform labor or service is rewritten, and the penalty reduced from $1,000, imprisonment for one year, or both, to a maximum of $500 or imprisonment for six months. (C. 6528. In effect, May 26, 1913).

Illinois.—Every corporation engaged in business for pecuniary profit must pay wages to its employees at least semi-monthly for work done up to not more than eighteen days from the time of payment. Employees absent at the time of payment may secure their wages upon six days' demand, and employees leaving their work may secure full wages upon three days' demand. Contracting out is forbidden. Penalty $25-$100 for each refusal to pay wages as specified. (S.B. 133. In effect, July 1, 1913). The mechanics' lien law is amended to include construction work where concrete, cement or similar material is used and to amend methods of procedure on several points. (S.B. 216. In effect, July 1, 1913).

Indiana.—Persons, firms, corporations, associations or their representatives must pay each employee at least twice a month, in lawful money or by negotiable check, draft or money order. Any contract to the contrary shall be void, and not more than ten days' wages may be held back. Penalty, 10 per cent of the amount due the employee for every day he remains unpaid, and reasonable attorney's fee, to be recovered by the employee at law. (C. 27. In effect, April 30, 1913).

Louisiana.—Public service corporations must pay wages of "salesmen, mechanics, laborers or other servants" at least semi-monthly. Penalty, $50-$500 for each offense. (No. 27. In effect, September 1, 1912). Laborers of any kind must be paid in full immediately upon discharge. Employers are liable for wages until paid. (No. 250. In effect, August 20, 1912). The law establishing a wage lien

in favor of managers, mechanics and laborers in saw mills, planing mills, shingle mills and sash, door and blind factories is amended to cover also hoop mills, stave and box manufactories. (No. 23. In effect, July 24, 1912). A wage lien is created on telephone or telegraph poles or cross ties or the lumber for same. (No. 195. In effect, July 25, 1912). Contracts for $1,000 or over for the repair, reconstruction, erection or construction of any work must be reduced to writing and shall create a lien in favor of all workmen and material men, to be protected by bonds proportionate to the amount of the contract. (No. 167. In effect, July 23, 1912). Employers may not lend or advance money to a laborer in constructural, paving or other manual work at a greater rate of interest than 8 per cent a year. Penalty, $25-$100, or imprisonment not more than three months, or both. (No. 240. In effect, July 11, 1912).

Maine.—The 1911 law requiring wages to be paid weekly is extended to include steam railroads. Penalty, $10-$50. (C. 26. In effect, July 11, 1913). The 1907 law giving employees a lien on certain kinds of wood is extended to include "cutting, peeling, yarding or hauling" pulpwood. (C. 50. In effect, July 11, 1913).

Michigan.—Manufacturing, mercantile, public service, mining and construction employers must pay wages at least semi-monthly. One-half month's wages may be held back, and any agreement in violation of the act is void. Assignments of future wages, except for advances actually made, shall not be valid if made to relieve the employer from the provisions of the act. Penalty, in addition to the amount due 10 per cent thereof for each day it remains unpaid, to be recovered in court. (C. 59. In effect, September 1, 1913). Three sections of the law establishing a wage lien on lumber and lumber products are amended but no material change is made. (C. 136. In effect, June 14, 1913). The method of procedure under the mechanics' lien act is slightly amended. (C. 394. In effect, June 14, 1913).

Minnesota.—The amount of wages exempt from execution is increased from $25 to $35, and any sum above this amount earned during the thirty days preceding any attachment may be levied upon if the attachment is to recover prices of the necessaries of life used by the debtor or his family. (C. 375. In effect, April 19, 1913).

Missouri.—An employee discharged by a corporation must be paid by money or valid check sent within seven days, upon his request,

to any station or office where a regular agent is kept. If such payment is not made, wages continue from the date of discharge, up to sixty days unless action therefor has been commenced. An employee who is discharged without cause before the expiration of a definite time for which he was engaged may have an action for damages. (S.B. 14. In effect, June 23, 1913).

Nebraska.—Any person who makes, alters, repairs or enhances the value of any vehicle, automobile, machinery, farm implement or tool, or shoes a horse or mule shall have a lien on the property for the amount of work done or material furnished. (C. 123. In effect, July 17, 1913). Wage liens on buildings are made to include specifically gas and electric apparatus and lighting fixtures, whether or not they are detachable. (C. 99. In effect, July 17, 1913).

Nevada.—Any employer who misrepresents his ability to pay wages, or after work has been done fails to pay wages, upon demand, five days after they are due, is subject to a maximum fine of $500, or six months' imprisonment, or both. (C. 276. In effect, March 27, 1913).

New Hampshire.—A wage lien is created in favor of any person performing labor or furnishing materials to the amount of $15 on a house, dam, canal, sluiceway or bridge, other than for a municipality. (C. 93. In effect, April 22, 1913).

North Carolina.—The lien laws are amended to create a lien for laborers cutting or sawing logs, getting out wood pulp, acid wood or tan bark, and to make it a misdemeanor, subject to a fine and imprisonment or both for the contractor to fail to apply to the payment of bills for labor or materials the contract price paid him by the owner or his agent. Several amendments are also made in regard to methods of procedure and to time limits for filing notices. (C. 150. In effect, March 12, 1913).

North Dakota.—All persons entitled to a mechanic's lien must file a notice to that effect together with the owner's consent. Any one filing an improper lien is guilty of a misdemeanor. The law regulating legal procedure and filing of notices is amended. (Cs. 208, 209. In effect, July 1, 1913).

Ohio.—Every employer with five or more regular employees must pay on or before the first of the month the wages earned during the first half of the preceding month; and on or before the fifteenth day of each month, the wages earned during the last half of the

preceding month. An employee absent at the regular time of payment may secure his wages upon demand from the proper paymaster at the regular place of payment. Contracting out or any other exemptions are forbidden as well as the assignment of future wages payable under this act. But an employee may assign 10 per cent of his past or future personal earnings, to apply on a debt for necessaries. The act does not interfere with daily or weekly payment of wages. Penalty, $25-$100. (S.B. 132. In effect, July 14, 1913). The governor is directed to appoint a commission of five members to investigate and report upon an equitable method of weighing coal at the mines. The commission may subpoena and compel the attendance of witnesses together with any necessary documents or papers, and may employ a secretary; $5,000 is appropriated and the members are to be paid $10 a day and expenses while engaged in the work. (J.R. 38. Adopted, April 9, 1913). The lien laws are entirely rewritten and extended to create a lien in favor of sub-contractors, laborers or material men performing labor or supplying materials to any principal or any sub-contractor completing a contract. The forms to be used, definition of terms and method of procedure are fully stated in the law. Twenty-two sections of the earlier law are repealed. (H.B. 290. In effect, August 4, 1913).

Oklahoma.—Railroad corporations, telephone and telegraph, express, street railway, and transportation or transmission companies must pay employees at least twice a calendar month. Penalty, $50-$500. (C. 46. In effect, March 17, 1913). Blacksmiths, wheelwrights and horseshoers are given a lien on all vehicles and implements repaired and animals shod by them, for unpaid labor or materials furnished. (C. 82. In effect, March 22, 1913).

Oregon.—Procedure under the law providing a lien for sheep herders is amended and the time limit is restricted to one year from the commencement of duties. (C. 248. In effect, June 2, 1913).

Pennsylvania.—At every anthracite coal mine where coal is mined and paid for by the car, a record of cars mined shall be kept at the miners' chutes or the most convenient of them. This record shall be the final basis of computing the miners' earnings, without deduction for slate or other refuse loaded on the cars in the natural process of mining. The act does not affect existing contracts nor prevent the making of any future contract on the subject. Penalty

$50-$100 for each offense. (No. 468. In effect, July 25, 1913). Wages except to persons on an annual salary and "unless otherwise stipulated in the contract of hiring" must be paid at least semi-monthly. (No. 76. In effect, July 1, 1913).

South Dakota.—Any person furnishing labor or materials contributed for the improvement of real estate shall have a lien upon the improvements and upon the land on which the real estate is situated or to which it may be removed. A similar lien is created for work upon the construction, alteration or repair of any line of railway, telegraph, telephone, electric light, conduit, or subway, and for work about the opening or working of any mine. The methods of procedure are specified in great detail. (C. 263. In effect, March 14, 1913).

Tennessee.—Employers operating a commissary or supply store in connection with their business must pay wage balances in lawful money semi-monthly on Saturday nearest the 15th and 30th of each month. Penalty, $50-$500 for each offense. (C. 29. In effect, November 1, 1913).

Texas.—A first lien is provided for laborers who perform work in cutting and preparing for the market logs or timber, or who perform service in transporting or in constructing trams or railroads for transportation purposes. (C. 80. In effect, July 1, 1913). A lien is also provided for work upon levees or embankments erected to reclaim overflow lands. (C. 124. In effect, July 1, 1913). Contracting stevedores must give a bond which will be subject to the condition that all agreements will be faithfully carried out and that laborers' wages will be paid on Saturday of each week according to the scale agreed upon. Suits for non-payment of wages may be maintained upon any bond. (C. 82, secs. 3, 4. In effect, July 1, 1913).

Utah.—The law making wages a preferred claim is amended to limit the amount to $400, to include clerks or traveling salesmen, and to limit to five months the time within which the labor must have been performed previous to the assignment; but officers or general managers of corporations and members of an association or partnership making an assignment or trusteeship agreement are not entitled to preference. (C. 23. In effect, May 3, 1913). In the same way wages are made a preferred debt. (C. 24. In effect, May 3, 1913).

Wisconsin.—Heading and firewood are added to the list of products covered by the law providing for wage liens on logs and timber. (C. 241. In effect, May 16, 1913).

Wyoming.—The law regulating the weighing of coal is amended to except mines classed as "prospects" and to require the mine inspector to test the scales at each regular visit. (C. 16. In effect, February 17, 1913). The law providing a lien upon personal property is extended to include work upon the construction of ditches, canals, reservoirs or appurtenances thereto, made at the request of the owner or agent. (C. 100. In effect, February 27, 1913). (See also, "Mines", p. 333).

WOMAN'S WORK

The increasing realization of the extent of underpaid woman and child labor in this country together with the example set by England, Germany, New Zealand and Australia, has led to legislation on the minimum wage in eleven American states. The Massachusetts act of 1912 became operative on July 1, 1913, and similar acts were passed this year in Washington, Oregon, California, Colorado, Nebraska, Minnesota and Wisconsin; provision to study the subject was made in Michigan and New York; and an actual minimum wage rate was established by law in Utah. The Massachusetts and Nebraska acts are not compulsory since they may only publish the names of employers who refuse to pay the minimum wage as fixed by the commission. These acts apply to any occupation but do not include men workers although the Minnesota law covers minors up to twenty-one years of age. Either the workers or their representatives may be appointed on wage boards, but only in Minnesota is provision made for the election of representatives by the employees themselves. All of the acts go into effect this year and the Oregon commission in September determined upon minimum wage rates in manufacturing and mercantile establishments in the city of Portland, to take effect in November, 1913.

In connection with this minimum wage legislation, a significant new development has occurred in the method of regulating hours of work for women and children. This year, in Oregon, California, Wisconsin and Ohio the industrial commissions have been given the power to determine, after careful investigation, the number of hours women and children may safely work in one day or one week. Different hours may be determined upon for different occupations depending upon the degree of danger involved in the work. The Oregon commission after investigations and hearings fixed, for manufacturing and mercantile establishments in the city of Portland, a work-period below the statutory limit of ten hours a day, to take effect in November, 1913.

In twenty states general laws limiting hours of work have either been amended or enacted for the first time. Two western states, Arizona and Colorado, have this year joined Washington and California in establishing an eight hour day for women. Montana,

and Idaho have for the first time established a nine hour day and Delaware and Texas, a ten hour day. Several other states have materially reduced the length of the working day for women in many industries, while Ohio, Massachusetts, Indiana and Connecticut are making special inquiries into the conditions of work of women and children. A few states have followed the example set by Wisconsin in 1911 and limited the night-work of women to eight hours; but New York reenacted her night-work prohibition law, declared unconstitutional in 1907, and Nebraska and Pennsylvania entirely prohibit work in certain occupations at night between 10 p. m. to 6 a. m. California this year, following the example of Ohio, proposed a constitutional amendment, which will specifically permit the enactment of laws regulating wages and conditions affecting the comfort, health, safety and general welfare of all employees.

A. THE MINIMUM WAGE

The minimum wage law of Oregon, which gives the industrial welfare commission of that state power to regulate wages, hours and conditions of work for women and children, is analyzed in full below. In the following alphabetical list of states having minimum wage laws, only the more important points of variation from the Oregon law are mentioned, but all provisions of these laws are worked out in detail in the comparative table opposite p. 434. The laws creating two commissions, in Michigan and New York, to study the subject of the minimum wage are also summarized below.

California.—Provisions are practically the same as in Oregon except that the industrial welfare commission has power to enforce only that part of its findings which relates to wages. This is the only law which forbids the commission to act as a board of arbitration during a strike or lockout. (C. 324. In effect, August 10, 1913).

Colorado.—The commission does not have authority over hours and conditions of work, and no provision is made for the creation of subordinate wage-boards, the commission itself establishing the wage standards. (C. 110. In effect, August 12, 1913).

Massachusetts.—The Massachusetts act establishes no authority over hours or conditions of work. The amendments of this year make it discretionary with the commission (instead of compulsory as previously) to publish the names of those employers who do not

Main Provisions of Minimum Wage Laws in the United States

	SUBSTANTIVE FEATURES							ADMINISTRATION: CHIEF ADMINISTRATIVE BODY							ADMINISTRATION: SUBORDINATE BODY[2]		
											Investigation		Authority	Court Review			
State	Industries Covered	Employees Covered	Principle of Wage Determination	Exceptions for Defectives	Exceptions for Learners	Penalty 1. For Violation. 2. For Discrimination[1]	Appropriation	Name	Personnel	Appointment and Compensation	1. Initiation 2. Rehearings	Powers	1. To Determine 2. To Enforce	1. Court. 2. Grounds for Setting Aside Ruling.	Name	Personnel	Appointment and Compensation
California C. 324, Laws 1913. In effect, August 10, 1913.	All.	Women, and minors under 18.	"Necessary cost of proper living".	Special license, women only, renewable semi-annually.	None.	1. Minimum, $50, imprisonment for 30 days, or both; (and employee may sue for wage balance). Applies to wage ruilngs only.) 2. A misdemeanor.	$15,000 annually.	Industrial Welfare Commission.	5 persons, 1 a woman. (May engage secretary and necessary assistants.)	By governor, for 4 years. $10 a day and expenses.	1. By commission, or upon petition. 2. By commission, or upon petition of employers or employees.	Subpoena witnesses, administer oaths, examine books, enter premises.	1. Minimum wages, maximum hours, and conditions of labor.[3] 2. Wage rulings, upon complaint.	1. Superior court, on questions of law only. 2. If procured by fraud or if the commission acted outside its powers.	Wage board.	Equal number representatives of employers and employees, and a representative of the commission.	By commission (optional). $5 a day and expenses.
Colorado C. 110, Laws 1913. In effect, August 12, 1913.	Mercantile, manufacturing, laundry, hotel, restaurant, telephone or telegraph.	Same as California.	"Necessary cost of living" and "financial condition of the business".	Special license, women only.	None.	1. Maximum, $100, imprisonment for 3 months, or both; (and employee may sue for wage balance). 2. For each offense, $25.	$5,000 annually.	State Wage Board.	3 persons: 1 labor representative, 1 employer, 1 woman. (May engage secretary.)	By governor, for 2 years. Expenses up to $1,300 annually.	1. By commission. 2. None provided.	Subpoena witnesses, administer oaths, examine books.	1. Minimum wages.	1. District court on questions of law only. 2. If unlawful or unreasonable.	None.		
Massachusetts C. 706, Laws 1912. In effect, July 1, 1913. Am'd Cs. 330, 673, L. 1913. In effect, Mar. 21, July 1, 1913.	All.	Same as California.	"Needs of the employees" and "financial condition of the business".	Same as Colorado.	Special rates for learners and apprentices.	1. Commission may publish name in newspapers ($100 for newspapers refusing to publish). 2. For each offense, $200-$1,000.	$7,000 for 1913.	Minimum Wage Commission.	3 persons, 1 a woman. (May engage secretary.)	By governor, for 3 years. $10 a day and expenses.	1. Same as Colorado. 2. Upon petition of employers or employees.	Same as Colorado.	1. Same as Colorado. 2. Its rulings (see "Penalty").	1. Supreme judicial court, or superior court. 2. If compliance would prevent a "reasonable profit".	Same as California.	At least 6 representatives of employers, 6 of employees, and one or more representatives of public.	By commission (only in case of women, then mandatory). Same rate as jurors.
Minnesota C. 547, Laws 1913. In effect, June 26 1913.	All.	Women, and minors under 21.	"Living wages".	Special license, women only, limited to 10 per cent of employees in any establishment.	Same as Massachusetts.	1, 2. For each offense, $10-$50, or imprisonment for 10 to 60 days; (and employee may sue for wage balance).	$5,000 annually.	Same as Massachusetts.	3 persons: commissioner of labor, 1 employer of women, 1 woman secretary.	Same as Colorado. Expenses; secretary, $1,800 annually.	1. By commission, or at request of 100 employees. 2. By commission, or at request of ¼ of the employers or employees in an occupation.	Same as Colorado.	1. Same as Colorado. 2. The act.	None provided.	Advisory board.	3-10 representatives of employers, equal number of employees, and 1 or more representatives of public; at least 1/5 women.	By commission and by election; (optional). None.
Nebraska C. 211, Laws 1913. In effect, July 17, 1913.	All.	Same as California.	"Needs of the employees" and "financial condition of the occupation".	Same as Colorado.	Same as Massachusetts.	1. Commission must publish names in newspapers ($100 for newspapers refusing to publish). 2. For each offense, $25.	None.	Same as Massachusetts.	4 persons: governor, deputy commissioner of labor, professor of political science in state university, 1 citizen of state (1 a woman).	Same as Colorado. Expenses.	1. Same as Colorado. 2. Same as Massachusetts.	Same as Colorado.	1 Same as Colorado. 2. Same as Massachusetts.	1. District court. 2. If compliance "is likely to endanger the prosperity of the business".	Same as California.	At least 3 representatives of employers, 3 of employees, and the 3 appointed members of the commission.	Same as Massachusetts. Same as jurors in district court, and expenses.
Oregon C. 62, Laws 1913. In effect, June 2, 1913.	All.	Same as California.	"Necessary cost of living".	Same as Colorado.	Same as Massachusetts.	1. $25-$100, imprisonment 10 days to 3 months, or both; (and employee may sue for wage balance). 2. $25-$100.	$3,500 annually.	Same as California.	3 persons: 1 representative of employing class, 1 of employed class, 1 of public. (May engage secretary.)	Same as Massachusetts. Expenses.	1. Same as Colorado. 2. None provided.	Same as Colorado.	1. Same as California. 2. All rulings.	1. Circuit court, on questions of law only.	Conference.	Not more than 3 representatives of employers, 3 of employees, 3 of public and 1 or more commissioners.	By commission (only in case of women, then optional). None.
Utah C. 63, Laws 1913. In effect, May 17, 1913.	All.	"Females".	Experienced adults, $1.25 a day, fixed by act.	None.	Females under 18, 75 cents a day; adult learners and apprentices 90 cents a day, fixed by act.	1. A misdemeanor.	No special provision.	Commissioner of Immigration, Labor and Statistics.		By governor, with consent of senate, for 2 years. $1,800 and $500 expenses, annually.			1. None. 2. Same as Minnesota.	None.	None.		
Washington C. 174, Laws 1913. In effect, June 13, 1913.	All.	Same as California.	Same as Oregon.	Same as Colorado.	Special license, with time limit fixed by commission.	1. $25-$100; (and employee may sue for wage balance). 2. For each offense, $25-$100.	$5,000 annually.	Same as California.	5 persons: commissioner of labor, 4 disinterested citizens. (May engage secretary.)	Same as California. Expenses.	1. Same as Colorado. 2. Same as Massachusetts.	Same as Colorado.	1. Minimum wages and conditions of labor. 2. Same as California.	1. Superior court, on questions of law only.	Same as Oregon.	Equal number of representatives of employers and employees, and 1 or more representatives of public.	By commission (only in case of women, then optional). None.
Wisconsin C. 712, Laws 1913. In effect, August 1, 1913.	All.	Women, and minors.	"A living-wage".	Special license, women and minors.	Minors in a "trade industry" must be indentured.	1. For each offense, $10-$100. 2. For For each offense, $25.	General for Industrial Commission.	Industrial Commission.	3 persons. (May engage assistants.)	By governor, with consent of senate, for 6 years. $5,000 annually, and expenses.	1. By commission, or upon complaint. 2. No special provisions.	Same as California.	1. Minimum wages, maximum hours (C. 381, L. 1913), and conditions of labor (C. 485, L. 1911). 2. Wage rulings, upon complaint, other rulings directly.	1. Circuit court, on questions of law only. 2. If unlawful or unreasonable.	Advisory wage board.	"So as fairly to represent employers, employees and the public".	By commission (mandatory). None.

[1] The penalty for discrimination is for the employer who "discharges or in any way discriminates against any employee because such employee has testified, or is about to testify, or because the employer believes that the employee may testify, in any investigation or proceeding" relative to the enforcement of the act.

[2] In all cases the functions of the subordinate body are advisory only, its operations are confined to the industry in question, and its rules of procedure are determined by the commission.

[3] The California law is the only one which forbids the commission to act as a board of arbitration during a strike or lockout.

Table prepared for the American Association for Labor Legislation, 131 East 23rd Street, New York City.

accept the minimum wage as fixed by the wage board. But an employer who has appealed to the courts on the ground that the recommended wage would "render it impossible for him to conduct his business at a reasonable profit" may secure an order prohibiting the commission from publishing his name. The penalty for an employer discriminating against an employee is increased from $25 to from $200-$1,000 for each offense. (C. 330. In effect, March 21, 1913. C. 673. In effect, July 1, 1913).

Michigan.—The governor is directed to appoint a commission of three to investigate whether wages paid to female employees are adequate for the necessary cost of living and to maintain the worker in health, and whether the conditions of labor are prejudicial to health and morals. The commission is unsalaried but will receive necessary expenses including clerical assistance and publication of report. It may hold sessions in various parts of the state, summon witnesses, require the production of records and administer oaths, and must report, with proposed legislation, to the next or to any special session of the present legislature. (C. 290. In effect, May 13, 1913).

Minnesota.—The commission has no authority over hours or conditions of work but may regulate wages of all females, and minors under twenty-one years of age. This law is the only one which provides that where practicable, representatives of the employees must be elected by the employees themselves. (C. 547. In effect, June 26, 1913).

Nebraska.—The Nebraska law follows closely the Massachusetts act of 1912, and grants no authority to enforce rulings except by publishing the names of employers who refuse to comply with its findings. The Commission has no authority over hours or conditions of work. (C. 211. In effect, July 17, 1913).

New York.—The factory investigating commission created in 1911 is continued with the additional power to investigate the wages paid in all employments and the advisability of fixing minimum rates in any industries. A report, and, if deemed advisable, recommendations for a revision of the labor law, must be made to the legislature by February 15, 1914. $50,000 is appropriated for expenses. (C. 137. In effect, March 27, 1913).

Oregon.—It is declared unlawful to employ women or minors in any occupation for unreasonably long hours, or under surroundings or conditions detrimental to their health or morals, or to employ

women at wages inadequate to supply the necessary cost of living to maintain them in health, or minors at an unreasonably low wage. The term "minor" means any person under the age of eighteen years. To enforce this declaration an industrial welfare commission is created, consisting of three unsalaried members, appointed by the governor for three years. One member must represent the employing class, one the employed class, and the third must be an impartial person, representing the public. The commission shall elect one of its members as chairman and shall choose a secretary and fix his salary. It may declare for any occupation standards of

(a) hours of labor for women and minors, not exceeding the present ten-hour statutory limit;
(b) conditions of labor for women and minors;
(c) minimum wages for women workers;
(d) mimimum wages for minors.

Every employer is required to keep a register of all women and minors in his employ. The commission has power to inspect books, pay-rolls, and records and to investigate conditions which relate to the work of women or minors, and it may require full statements from employers regarding hours and wages, hold public hearings, subpoena witnesses and administer oaths. If the commission finds any substantial number of women working for unduly long hours or low wages in any occupation, it may call a conference to inquire and report upon conditions in that industry. The conference is to be composed of one or more of the commissioners, of not more than three representatives of the employers, three of the employees, and three disinterested persons, all appointed by the commission, and its procedure is regulated by the commission. The conference must report to the commission its findings and recommendations, which may include minimum piece as well as time rates, minimum wages for learners and apprentices and the maximum length of time that the latter rate may be paid. The commission may disapprove anw of the recommendations, and send them back to the same or a new conference. As soon as the commission has approved the recommendation of the conference it must hold a public hearing and announce the same in at least two newspapers for at least once a week for four consecutive weeks. After the hearing it may issue an order which will put into effect the proposed recommendations and will become operative after sixty days. Orders must be mailed to employers affected, and by them posted conspicuously in each room

where women work. The orders may be different for different branches of an occupation or for different localities, and, where a time-rate wage has been established, a special license authorizing a specified lower wage may be given to a woman physically defective. On questions of fact no appeal can be made, but on questions of law, an appeal may be made to the state circuit court for Multnomah County and to the state supreme court. For minors, the commission itself may determine, after investigation, standards of hours, wages and conditions of work and may issue orders in the same manner as for women workers. The commission must investigate whether employers are observing its orders and must prosecute violations; the sum of $3,500 annually is appropriated for its use. Any woman worker who is paid less than the established minimum wage may recover in a civil action the balance of her legal wages together with attorney's fees, notwithstanding any agreement to work at less than the established minimum. An employer who discharges or discriminates against an employee who has, or who he believes is about to testify in any proceedings is guilty of a misdemeanor and subject to a fine of $25-$100. Penalty for any person who violates an order of the commission, $25-$100, or imprisonment for ten days to three months, or both. (C. 62. In effect, June 2, 1913).

Utah.—The act in this state differs from all others in that it establishes in the law itself a classified wage rate for all female employees. All regular employers of females must pay to those under eighteen years of age, not less than seventy-five cents a day; to adult learners and apprentices for not more than one year, not less than ninety cents a day; and to experienced adults not less than one dollar and seventy-five cents a day. Enforcement lies with the commissioner of labor and a violation is a misdemeanor. (C. 63. In effect, May 17, 1913).

Washington.—The commission has authority over wages and conditions of work but no power is specifically given to regulate hours. In all other important respects the powers of the commission are similar to those of the Oregon commission. (C. 174. In effect, June 13, 1913).

Wisconsin.—The minimum wage law is administered by the industrial commission. By separate acts this commission is also authorized to regulate conditions and hours of labor for women and children. (See "Hours and Conditions", p. 447). (C. 712. In effect, August 1, 1913).

B. HOURS AND CONDITIONS OF WORK

Arizona.—Hours of labor for females are limited to eight in any twelve-hour period and fifty-six in one week in mercantile establishments, confectionery stores, bakeries, laundries, hotels, restaurants, and telegraph or telephone offices or exchanges employing three or more females; one hour must be allowed for the noon meal. Mercantile establishments, confectionery stores and bakeries, working only six days a week, may employ females for ten hours on one of the six days; female nurses are exempt from the law. Employers must post notices in every workroom stating the hours of beginning and stopping work, time allowed for meals and the maximum hours of work; the employment of a female outside of posted hours is prima facie evidence of a violation of the act. Minimum penalty, $25, or imprisonment for thirty days, or both. (H.B. 51. In effect, August 15, 1913).

Arkansas.—Seats must be provided in all establishments where females are employed. Penalty, $10-$50 for each day's failure to comply with the law. (Act 235. In effect, March 29, 1913).

California.—The eight-hour-day law is amended to include women working in public lodging houses, apartment houses, hospitals (except graduate nurses) and places of amusement. Enforcement is placed with the commissioner of labor and the penalty for an employer who permits or requires a violation is increased to $25-$50 for the first offense; $100-$250 for a second offense; or imprisonment for not more than sixty days, or both. (C. 352. In effect, August 10, 1913). (See also, "The Minimum Wage", p. 434).

Colorado.—The employment of females is forbidden in any manufacturing, mechanical or mercantile establishment, laundry, hotel or restaurant for more than eight hours in any one calendar day. Penalty, $50-$500, or imprisonment for thirty days to six months, or both, for every day's violation. (Initiated law. Approved by the people, November 5, 1912. In effect, January 22, 1913).

Connecticut.—The commissioner of labor is required to employ a specially trained woman, assisted by regular employees of the bureau of labor, to investigate the wages, hours, health and cost of living of women and girls employed in "stores, wholesale and retail, public utilities, photographic, undertaking, millinery and dressmaking establishments, hotels, restaurants, laundries, hairdressing and barber shops, domestic service and tenement-house work". $3,000 is appropriated to cover expenses including those for printing and travel-

ing, and report must be submitted by January, 1915. Penalty, for any person refusing information, $100 for each week's delay after a "reasonable time" for reply. (C. 233. In effect, June 7, 1913). The hours of work in manufacturing and mechanical establishments are reduced from fifty-eight to fifty-five a week and the provisions permitting overtime are removed. Hours remain at fifty-eight a week in mercantile establishments but overtime is no longer permitted except between the seventeenth and twenty-fifth of December for employees who have been given seven holidays with pay. Women may not be employed in mercantile establishments after ten o'clock at night. Penalties remain at not more than $20 for each offense. (C. 179. In effect, January 1, 1914). No woman may knowingly be employed in any factory, mercantile establishment, mill or workshop for four weeks before or four weeks after childbirth. Maximum penalty, $25, or imprisonment for thirty days, or both. (C. 112. In effect, May 26, 1913).

Delaware.—No female may be permitted to work for more than ten hours in one day or fifty-five in one week in mercantile, mechanical or manufacturing establishments, laundries, bakeries, printing houses, or in telephone or telegraph offices or exchanges. On one day each week twelve hours are allowed, but when work falls between 11 p. m. and 7 a. m. hours are limited to eight in twenty-four. If a female works for two employers her total number of hours must not exceed the above limits and each employer is required to make "diligent inquiry" as to other employment of the worker. Notices must be posted in every workroom stating the number of hours' work required each day, hours of beginning and stopping, and meal or recess hours. The presence of a female on the premises at hours other than those posted constitutes prima facie evidence of a violation. The act does not apply to canning or preserving of fruits and vegetables, and the invalidity of any part of the act shall not affect other parts. The appointment of a factory inspector at a salary of $1,000, to enforce the act, is authorized. Penalty for a first offense, $20-$50, for a second offense, $50-$200, for a third offense, not less than $250. (C. 175. In effect, July 1, 1913).

Idaho.—The hours of work for females are limited to nine a day in mechanical or mercantile establishments, laundries, hotels, restaurants, telegraph or telephone establishments, offices, and in express or transportation companies. Harvesting, packing, curing,

canning and drying of perishable fruits or vegetables are exempt. Suitable seats must be provided in every establishment where females are employed and a copy of the law must be posted in each workroom. A declaration of unconstitutionality against any part of the act shall not invalidate other parts. Penalty, $10-$100 for each offense. (C. 86. In effect, May 9, 1913).

Indiana.—The governor is required to appoint a commission of five persons, one of whom shall be an employer, one an employee, and one a woman. The commission must investigate the hours and conditions of women's work and determine what limitation if any should be placed on their employment or what improvement should be made in conditions under which they labor in any or all employments. The commission shall serve without compensation except necessary traveling and hotel expenses, and shall hold hearings in at least ten different communities. It may compel the testimony of witnesses and the production of records and may enter any establishment where women are employed. Appropriation, $2,000. (C. 262. In effect, April 30, 1913).

Massachusetts.—The law limiting the hours of work for women to ten a day and fifty-four a week is amended to include telegraph and telephone exchanges, express and transportation companies and mercantile establishments, and to bring workshops and factories specifically under the act. In public service businesses or in any industry where the state board of labor and industries finds that public necessity or convenience requires children under eighteen or women to be employed in shifts, employers must post notices stating the hours of work for each shift and the time allowed for meals; they must also keep on file, open to inspection, a list of employees, giving the shift on which each is employed. Cases of emergency or "extraordinary public requirement" are exempt but overtime is not legal until a written report of the day and hour and its duration is sent to the board of labor and industries. (C. 758. In effect, October 1, 1913). Employers of women or minors in hotels or where meals are temporarily served for the public, in towns of less than 4,500 inhabitants, need not post notices regarding the hours of labor. (C. 365. In effect, April 25, 1913). Boxes, baskets or other receptables, not less than 2 x 2½ x 2 feet or equivalent dimensions, which are to be moved by females in manufacturing or mechanical establishments must be provided with pulleys, casters, or some other mechanical device which will enable them to be moved

about easily. Maximum penalty, $50 for each day's violation. (C. 426. In effect, May 3, 1913). The speaker of the house of representatives is directed to appoint from among the house members a committee of nine to investigate the conditions under which women and children labor, to discover whether or not present laws are being evaded, and to recommend changes in the law. The committee has power to summon witnesses, administer oaths and compel the production of books and papers. Public hearings must be held and a report made by the first Wednesday in January, 1914. Compensation and expenses are allowed as approved by the governor and council. (Order, adopted by the House, June 13, 1913).

Minnesota.—The ten-hour day and fifty-eight hour week in mercantile establishments has been extended to include restaurants or eating-houses, and kitchens operated in connection therewith. Hours in mechanical and manufacturing establishments have been reduced from ten to nine a day and from fifty-eight to fifty-four a week, and telephone and telegraph establishments in first and second class cities have been brought under the same provision. But a different apportionment of hours may be made to secure one shorter workday a week. The requirement for a sixty minute noon and twenty minute evening lunch time, removal of injurious dusts, gases, etc., provisions for cleanliness and air space, are extended to all the above mentioned establishments. Canning or preserving of fruit, grains or vegetables is exempt for a period of six weeks each year; females may be employed in retail mercantile stores for eleven hours on Saturdays, but the total hours must not exceed fifty-eight a week. Violation is a misdemeanor. (C. 581. In effect, April 28, 1913).

Missouri.—Bakeries, restaurants, places of amusement, express or transportation or public utility businesses (except telegraph and telephone companies), common carriers and public institutions are added to the list of establishments wherein females may not be "employed, permitted or suffered" to work more than nine hours a day or fifty-four a week, and stenographic and clerical workers are also included. Canning establishments in rural communities and in cities of less than 10,000 are exempt for ninety days a year. The department of factory inspection is to enforce the act. (H.B. 294. In effect, June 23, 1913).

Montana.—The employment of women for more than nine hours in one day is forbidden in manufacturing, mechanical or mercantile

establishments, and in any telephone exchange room, or office, or telegraph office, laundry, hotel or restaurant. But they may be employed in retail stores ten hours a day for one week preceding Christmas day; and when life or property is in imminent danger they may be employed overtime with extra pay. Employers of females must provide seats and permit their use when the women and girls are not actively employed. Penalty, $50-$200, or imprisonment for ten to sixty days, or both. (C. 108. In effect, March 15, 1913).

Nebraska.—Hours for women are shortened from ten a day and sixty a week to nine a day and fifty-four a week, and the law is extended to cover laundries, offices and public service corporations, as well as manufacturing, mechanical or mercantile establishments, hotels and restaurants. The prohibition of work between 10 p. m. and 6 a. m. is retained, with the exception that public service corporations may employ women between those hours for not more than eight consecutive hours. (C. 151. In effect, July 17, 1913). The section of the labor law requiring seats for female employees is amended to apply to offices and schools as well as to stores and factories, but omits hotels and restaurants. It also allows the use of the seats during work "when such position does not interfere with the faithful discharge of their incumbent duties". (C. 213. In effect, July 17, 1913).

New Hampshire.—No female may be "employed or permitted to work in any manufacturing, mechanical or mercantile establishment, laundry or restaurant, or confectionery store, or by any express or transportation company" more than ten and one-quarter hours during any one day or fifty-five hours in any one week. If any part of a female's daily employment is performed between 8 p. m. and 6 a. m. all the employment shall be considered night work, and no female may be employed or permitted to work at night more than eight hours in any twenty-four, or forty-eight during the week, but fifty-five hours a week are permitted if night work exists on one night only. At least one hour is required for dinner. Employers must post conspicuously in every room where females are employed a printed notice of the hours of commencing and stopping work, time allowed for meals, and maximum hours any female is permitted to work in one day. Employment of a female at any hour other than those posted constitutes prima facie evidence of violation. Penalty, $50-$100. (C. 156. In effect, January 1, 1914).

New York.—It is made a misdemeanor for an employer to require or attempt to require a female employee to submit to a physical examination by a physician or surgeon not of her own sex. (C. 320. In effect, April 17, 1913). Employers of females in factories or as waitresses in hotels or restaurants are now required to provide seats which have, where practicable, proper backs; and employees must be allowed to sit at their work wherever it can be done properly in a sitting posture. The industrial board may determine when seats with or without backs are necessary and also the number needed. Penalty, see p. 359. (C. 197. In effect, October 1, 1913). No female may be employed or permitted to work in any brass, iron or steel foundry at or in connection with the making of cores, if the baking of the cores is done in the same room or space in which the cores are made. Any partition separating the baking from the making processes must extend from the floor to the ceiling and must be so constructed as to prevent the passage of gases and fumes from the core oven to the room where the women are working. The industrial board may make rules and regulations concerning the construction, equipment, maintenance and operation of core rooms and the size and weight of cores which may be handled by the women. Penalty, see p. 359. (C. 464. In effect, October 1, 1913). The work of women is forbidden in factories before six o'clock in the morning or after ten o'clock at night of any day. Penalty, see p. 359. (C. 83. In effect, July 1, 1913). The law regulating the work of women in canneries is amended to permit females eighteen or over to work ten hours a day for six days and sixty hours a week, between June 15, and October 15; but the industrial board may authorize twelve hours a day for six days and sixty-six hours a week between June 25 and August 5. These provisions do not apply unless the daily hours of labor are posted and a time book, approved by the commissioner of labor and open to inspection, is kept with the names, addresses and the daily hours of work of all female employees. False entries are specifically forbidden. Penalty, see p. 359. (C. 465. In effect, May 9, 1913). The former ten-hour day and sixty-hour week in mercantile establishments is extended to include all females in first class cities instead of only those between sixteen and twenty-one; and in cities of the second class hours are reduced to nine a day and fifty-four a week, and the closing hour is changed from ten to six o'clock in the evening. The day limitation does not apply to persons sixteen or over on Saturdays, nor

to persons employed during the five days preceding Christmas in second class cities, or elsewhere from the eighteenth to the twenty-fifth of December. Penalty, see p. 359. (C. 493. In effect, October 1, 1913).

North Carolina.—(See "Factories and Workshops", p. 320).

Ohio.—Mercantile establishments employing five or more females must report in writing to the industrial commission, the following facts about females employed in or about the establishment: total number, number under 18 years of age, name, age, number of hours worked per day, number of hours worked per week, wages per week for each female, class or kind of employment for each female, and such other information relative to hours and wages as may be required by the industrial commission. Penalty for failure to report, $25-$50 for each day's neglect. Penalty for knowingly making false statements, not more than $50. (S.B. 241. In effect, August 8, 1913). The ten-hour day and fifty-four hour week for females over eighteen is extended to include mercantile establishments in cities. (H.B. 163. In effect, August 7, 1913). (See also "Administration of Labor Laws", p. 360).

Oregon.—(See "The Minimum Wage", p. 435).

Pennsylvania.—The laws on woman's work are rewritten and codified. Work in private homes and on farms is exempt. In other establishments hours are reduced from twelve a day and sixty a week, to ten a day and fifty-four a week, and work for more than six days a week is prohibited. Time lost through a legal holiday or in making alterations or repairs, may be made up by overtime during the same week, but such overtime is limited to two hours a day and the total time worked may not exceed the legal maximum for the week. None of these restrictions apply to fruit and vegetable canning, or to nurses in hospitals. The total number of hours worked by a woman employed in more than one establishment may not exceed the legal maximums for day and week. No woman over twenty-one may work in "any manufacturing establishment" between 10 p. m. and 6 a. m., except managers, superintendents, or persons doing clerical or stenographic work. Meal time must be at least forty-five minutes, except for women employed less than eight hours a day, for whom it may be reduced to not less than thirty minutes. No woman shall work more than six hours continuously without a rest period of forty-five minutes, subject to the same reduction as for meal time, and during meal time and rest periods

employees shall not be required to remain in the work rooms. The number of seats required is specified as at least one for every three women, and their "reasonable" use must be permitted; there must be one toilet for every twenty-five women. In establishments where "white lead, arsenic or other poisonous substances, or injurious fumes, dusts or gases" are present, there must be a clean lunch room for women employees, and hoods and exhaust fans must be used to remove the dusts, fumes and gases at their point of origin. Reasonable efforts must be made to secure pure drinking water; if placed in receptacles they shall be properly covered and kept clean. In each room where women are employed a printed abstract of the act must be posted, and a schedule showing the name of each woman, her maximum number of hours per day and per week, hours of commencing and stopping work, and meal times for the week. The commissioner of labor and industry and his deputies shall inspect at any reasonable hour any establishment in which women are employed, investigate all complaints received by them, and institute prosecutions. Procedure is carefully regulated. Penalty for violating provisions as to working periods, for first offense $10-$50, for subsequent offenses $25-$200, or imprisonment for sixty days, or both. Penalty for violating other provisions, for first offense $25-$50, for subsequent offenses $50-$200, imprisonment for sixty days or both. Every day's violation after notice is an additional offense, but one year is the maximum imprisonment for one violation. (No. 466. In effect, July 25, 1913).

Rhode Island.—The hours of labor for women are reduced from fifty-six to fifty-four a week, and the law which formerly applied to manufacturing and mechanical establishments, now includes factories and business or mercantile establishments. Exceptions as to overtime are removed and the penalty of $20 for each offense is retained. (C. 912. In effect, July 1, 1913).

South Dakota.—The former ten-hour-day law for women is restated and still places a penalty only upon those who "compel" work in excess of ten hours. Factories, mills or workshops where women are employed must be kept free from effluvia arising from unsanitary toilet provisions, must be well ventilated, provided with separate sanitary closets for each sex, and where necessary with separate dressing rooms. The interiors of factories and workshops must be limewashed or painted at least once in every twelve months, floors must be thoroughly cleaned with soap and water at least once

in every two weeks, and dressing rooms and closets, once in every week. Suitable seats must be provided in mercantile, manufacturing, hotel or restaurant businesses. Penalty, $10-$100, or imprisonment for not more than thirty days, or both. (C. 240. In effect, March 3, 1913).

Tennessee.—The former sixty-hour-week law for women in manufacturing establishments now applies to factories and workshops and provides that after January 1, 1914, hours per week shall be not more than fifty-eight, and after January 1, 1915, not more than fifty-seven per week. Hours per day must not exceed ten and one-half. A printed notice of the law must be posted, including a statement of hours of commencing and leaving work, time allowed for meals, total number of hours required each day and week and hours of work of any night shift. A record of each worker must also be kept, open to inspectors, stating the number of hours worked each day and week. The department of factory inspection enforces the act. Penalty for requiring or permitting overtime, $25-$100 for each offense. (C. 12. In effect, September 25, 1913). The law requiring one seat for each female employee in stores is amended to apply to all factories, mercantile establishments, mills and workshops. Wherever practicable the seats must be made a permanent fixture. Penalty, $10-$100 for each offense. (C. 45. In effect, April 25, 1913).

Texas.—The hours of labor for women are limited to ten a day and fifty-four a week in "any manufacturing or mercantile institution engaged in the manufacture of clothing, shirts, overalls, jumpers or ladies' garments or any mercantile establishments or work shop or printing office, dressmaking or millinery establishment, hotel, restaurant or theater or telegraph or telephone office or establishment". The act does not apply to registered pharmacists, to stenographers, to cities with a population of 5,000 or less, nor to telephone operators in time of disaster or epidemic, but overtime must be agreed to by the operators who must then be paid double the rate of the regular compensation. The maximum hours in laundries must not exceed eleven in any one day or fifty-four a week, and time and one-half must be paid for all work in excess of ten hours. Suitable seats must be provided for females in every establishment. Penalty, $50-$200, or imprisonment from five to thirty days, or both. (C. 175. In effect, October 1, 1913).

Vermont.—No woman may be employed in any manufacturing

or mechanical establishment more than eleven hours in a day or fifty-eight in any week. The employer must post in a conspicuous place in every work room where women and minors are employed a notice stating the number of hours required of them each day, the time of beginning and stopping work and the time allowed for meals. No woman may be employed at the above work for two weeks before or four weeks after childbirth. Penalty $50-$100. (No. 85. In effect, April 1, 1913).

Wisconsin.—The law prohibiting certain employments to women is repealed. Instead it is forbidden to "employ, require, permit or suffer any . . . female to work in any place of employment, or at any employment dangerous or prejudicial to the life, health, safety or welfare of such . . . female". The industrial commission is to determine reasonable classifications of employments and enforce the prohibition where necessary. Pending the commission's determination, work in mines and quarries is forbidden. (C. 466. In effect, June 17, 1913). The law restricting the hours of women to ten a day and fifty-five a week in any manufacturing, mechanical or mercantile establishment, laundry or restaurant, confectionery store, telegraph or telephone office or exchange, or any express or transportation establishment, is repealed and instead the industrial commission is ordered to determine and enforce classified standards of work periods in these establishments which will prevent any female's being employed or permitted to work "for such period or periods of time during any day, night or week, as shall be dangerous or prejudicial to the life, health, safety or welfare of such female". Pending determination by the commission, day work (between 6 a. m. and 8 p. m., except employment after 8 p. m. not more than one night in the week) is limited to ten hours a day and fifty-five a week, and night work (between 8 p. m. and 6 a. m.) to eight a night and forty-eight a week; and one hour for meals is required. A list stating the names of women employees, hours required during each day of the week, hours of commencing and stopping work, and meal time, must be conspicuously posted in each department where women are employed, unless an equally effective substitute is approved by the commission. Employment at other times is prima facie evidence of violation. Penalty for each day's or week's violation for each female employed, $10-$100. (C. 381. In effect, June 4, 1913). (See also "The Minimum Wage", p. 437).

II. TOPICAL INDEX BY STATES

The labor laws enacted by the forty-two states which held legislative sessions in 1913, and the federal labor laws of the sixty-second Congress, third session, and the sixty-third Congress, first session, are indexed below in alphabetical order with chapter and page references to the session law volumes. The labor laws of Louisiana enacted in 1912, and those of Vermont enacted in the session of 1912-1913, which were not available when the Review of Labor Legislation for 1912 was published, are also included. The figures in ordinary type inside the parentheses refer to the session law volumes; the figures in heavier type, outside the parentheses, refer to pages in this Review.

ARIZONA

Woman's Work: hours limited to eight a day and fifty-six a week (H.B. 51), p. **438**.

ARKANSAS

Administration of Labor Laws: bureau of labor and statistics created (Act 322, p. 1451), p. **352**.

Employers' Liability, Workmen's Compensation and Insurance: liability of corporations for injury to employees (Act 175, p. 734), p. **380**.

Miscellaneous: employees may regulate employment of physician (Act 218, p. 940), p. **407**.

Prison Labor: leasing forbidden (Act 69, sec. 9, p. 213), p. **411**.

Railroads and Streetcars: full crew required on switch engines (Act 67, p. 211), p. **333**.

Woman's Work: seats required for females (Act 235, p 1007), p. **438**.

CALIFORNIA

Administration of Labor Laws: industrial accident board superseded (C. 561, p. 950), p. **353**; commissioner of labor relieved of certain work (C. 215, p. 371), p. **353**; commissioner authorized to appoint an attorney (C. 227, p. 382), p. **353**; accident prevention fund authorized (C. 178, p. 325), p. **353**; industrial commission created (C. 176, p. 279), p. **353**; workplaces to be registered (C. 255, p. 444), p. **353**.

Building Construction: swinging scaffolds on buildings regulated (C. 48, p. 49), p. **344**; safety on building hoists provided for (C. 275, p. 507), p. **344**.

COLORADO

CONNECTICUT

Accidents and Diseases—Reporting: occupational disease reporting law extended (C. 14, p. 8), p. 307.

Administration of Labor Laws: number of inspectors increased and method of prosecution strengthened (C. 131, p. 82), p. 353; inspectors may examine employees threatened with tuberculosis (C. 183, secs. 14, 15, p. 127), p. 354.

Child Labor: vacation permits to be granted (C. 211, p. 167), p. 364; schooling law repealed (C. 47, p. 27), p. 364; hours regulated (C. 179, p. 122), p. 364; employment in saloons forbidden (C. 11, p. 7), p. 364.

Employers' Liability, Workmen's Compensation and Insurance: compensation for injured workmen provided (C. 138, p. 88), p. 383.

Factories and Workshops: dust removing devices to be installed (C. 208, p. 165), p. 311.

Railroads and Streetcars: public utilities commission may regulate (C. 210, p. 167), p. 334.

Unemployment: fee for private agencies increased (C. 4, p. 3), p. 422.

Woman's Work: conditions of work in certain industries to be investigated (C. 233, p. 200), p. 438; hours limited to fifty-five a week (C. 179, p. 122), p. 439; childbirth protection (C. 112, p. 61), p. 439.

DELAWARE

Administration of Labor Laws: inspectors for children's and women's work authorized (C. 175, p. 424; C. 176, p. 429), p. 354.

Child Labor: general law (C. 176, p. 429), p. 365; child labor commission created (C. 103, p. 266), p. 366.

Factories and Workshops: sanitary conditions required in canneries (C. 97, p. 247), p. 311.

Woman's Work: hours of labor regulated (C. 175, p. 424), p. 439.

FLORIDA

Accidents and Diseases—Reporting: railroads to report accidents (C. 6527, sec. 11, p. 411), p. 303; telegraph and telephone companies to report accidents (C. 6525, sec. 18, p. 397), p. 304.

Administration of Labor Laws: office of state labor inspector created (C. 6488, secs. 21 and 22, p. 308), p. 354.

Child Labor: general law (C. 6488, p. 301), p. 366.

Employers' Liability, Workmen's Compensation and Insurance: establishment of relief department no bar to liability (C. 6520, p. 382), p. 380; assumption of risk in hazardous occupations modified (C. 6521, p. 383), p. 381.

Factories and Workshops: health and safety of restaurant employees (C. 6475, p. 282), p. 311.

Railroads and Streetcars: locomotive headlights required (C. 6526, p. 402), p. 334.

Wages: penalty for fraudulent contracts reduced (C. 6528, p. 417), p. 427.

Railroads and Streetcars: experienced trainmen required (C. 43, p. 74), p. **335**; water cranes to be locked (C. 93, p. 265), p. **335**; pilot engineers required (C. 100, p. 272), p. **335**; arrangement of locomotives and cars (C. 130, p. 323), p. **335**; regular employees required (C. 232, p. 656), p. **335**; automatic fire doors to be provided (C. 235, p. 659), p. **335**; competence of train crews (C. 274, p. 741), p. **335**; construction of locomotives regulated (C. 291, p. 767), p. **335**; conventions of railroad officials authorized (C. 296, p. 773), p. **336**; public service commission given supervision over (C. 76, sec. 2, p. 169), p. **336**.

Unemployment: regulation of registration fees (C. 321, p. 849), p. **422**; private agencies regulated (C. 353, p. 946), p. **422**.

Wages: semi-monthly pay days required (C. 27, p. 47), p. **427**.

Woman's Work: commission created (C. 262, p. 707), p. **440**.

IOWA

Accidents and Diseases—Reporting: accidents to be reported (C. 196, sec. 4, p. 217), p. **304**; mine accidents to be reported (C. 198, sec. 7, p. 220), p. **326**.

Administration of Labor Laws: law creating bureau of labor statistics amended (C. 196, p. 216), p. **354**.

Child Labor: age limit in schools raised to sixteen (C. 255, p. 272), p. **368**.

Employers' Liability, Workmen's Compensation and Insurance: compensation for accidents, industrial commissioner, insurance, provided (C. 147, p. 154), p. **383**; new compensation law not retroactive (C. 148, p. 172), p. **391**; burden of proof in electrical injuries (C. 174, sec. 6, p. 198), p. **381**.

Factories and Workshops: fumes of molten metal to be carried off (C. 306, p. 314), p. **312**.

Mines: ventilation and safety in gypsum mines required (C. 198, p. 218), p. **326**; inspectors authorized (C. 197, p. 218), p. **327**.

Prison Labor: leasing forbidden (C. 134, p. 132), p. **411**.

Railroads and Streetcars: cabs of engines to be equipped with frost glass (C. 167, p. 190), p. **336**; headlights required (Cs. 171, 172, p. 194, 195), p. **336**.

Trade Disputes: board of arbitration and conciliation created (C. 292, p. 303), p. **414**.

KANSAS

Administration of Labor Laws: department of labor and industry created (C. 217, p. 390), p. **355**.

Employers' Liability, Workmen's Compensation and Insurance: compensation act of 1911 amended (C. 216, p. 385), p. **392**.

Hours: certain cities exempt from eight-hour law (C. 220, p. 394), p. **396**.

Mines: sale of black powder regulated (C. 227, p. 403), p. **327**; bath

MASSACHUSETTS

Accidents and Diseases—Reporting: accident records open to the public (C. 338, p. 217), p. **304**; supplemental reports of accidents required (C. 746, p. 540), p. **304**; elevator accidents to be reported (C. 806, sec. 5, p. 665), p. **305**; occupational diseases to be reported (C. 813, sec. 6, p. 675), p. **307**.

Administration of Labor Laws: joint action of board of labor and industries and industrial accident board provided for, and power to make rules and regulations given (C. 813, p. 674), p. **355**; transfer of inspectors authorized (C. 424, p. 278), p. **356**; inspection of compressed-air tanks regulated (C. 629, p. 429), p. **356**; inspection of public buildings (C. 610, p. 411; C. 655, p. 488), p. **356**.

Child Labor: free employment office authorized in Boston (C. 389, p. 260), p. **368**; evening school attendance required (C. 467, p. 300), p. **368**; age limit on elevators (C. 714), p. 514), p. **369**; school attendance (C. 779, p. 600), p. **369**; employments and hours regulated (C. 831, p. 696), p. **369**; continuation schools (C. 805, p. 662), p. **370**.

Employers' Liability, Workmen's Compensation and Insurance: compensation act extended to certain public employees (C. 807, p. 667), p. **392**; appropriation for industrial accident board designated each year (C. 48, p. 28), p. **392**; permanent incapacity to be treated as total loss in certain cases (C. 445, p. 286; C. 696, p. 487), p. **392**; recovery of damages regulated (C. 448, p. 289), p. **392**; certain seamen exempt from workmen's compensation act (C. 568, p. 375), p. **392**.

Factories and Workshops: lighting conditions may be investigated (C. 766, p. 565), p. **312**; presses to be cleaned with sanitary cloths (C. 472, p. 304), p. **313**; joint board to make rules and regulations (C. 813, p. 674), p. **355**.

Hours: one day's rest in seven required (C. 619, p. 425), p. **400**; eight-hour day to be submitted to cities or towns (C. 822, p. 689), p. **396**; hours for street car employees regulated (C. 833, p. 709), p. **401**; overtime restricted (C. 359, p. 236), p. **401**; congress petitioned to propose an amendment permitting federal control of hours of labor (R. p. 887), p. **401**.

Immigration: commission created (Resolves, C. 77, p. 861), p. **405**.

Miscellaneous: unemployed lamplighters to be given other work (C. 344, p. 224), p. **407**; special licenses for stationary engineers and firemen restricted (C. 209, p. 115), p. **347**; board of elevator rules created (C. 806, p. 664), p. **347**.

Pensions and Retirement Systems: commission on (Resolves, C. 106, p. 871), p. **409**; amount of pension regulated (C. 367, p. 241), p. 409; additional payments forbidden (C. 657, p. 462), p. **409**; Boston laborers' pension system extended (C. 671, p. 472), p. **409**; scrubwomen to be pensioned (C. 711, p. 512), p. **409**.

Railroads and Streetcars: railroad commissioners to order safety devices (C. 357, p. 235), p. **337**.

pensation for injured workmen provided (C. 467, p. 675), p. **383**; defenses modified for injury around railroad tracks (C. 307, sec. 9, p. 440), p. **338**.

Factories and Workshops: health and safety provided for (C. 316, p. 455), p. **313**.

Miscellaneous: protection of employees provided for (C. 544, p. 783), p. **408**.

Prison Labor: factory authorized for binders, mowers, rakes and any other articles not manufactured by free labor (C. 144, p. 167), p. **411**.

Railroads and Streetcars: headlights required (C. 93, p. 96), p. **338**; safety near tracks required (C. 448, p. 653), p. **338**; clearance near tracks required (C. 307, p. 438), p. **338**.

Wages: amount of wages exempt from attachment increased (C. 375, p. 524), p. **428**.

Woman's Work: minimum wage commission created (C. 547, p. 789), p. **435**; hours of labor regulated (C. 581, p. 872), p. **441**.

MISSOURI

Accidents and Diseases—Reporting: railroads and streetcars to report accidents (S.B. 1, secs. 45, 130, 131, p. 582, 649), p. **305**; occupational diseases to be reported (H.B. 536, sec. 5, p. 402), p. **314**.

Factories and Workshops: washrooms in foundries (H.B. 130, p. 401), p. **313**; protection from occupational diseases (H.B. 536, p. 402), p. **313**.

Hours: eight a day in silica mines, glass and smelting (H.B. 12, p. 399), p. **401**.

Mines: bureau of mines reorganized (H.B. 549, p. 409), p. **328**; inspector to post notices (H.B. 332, p. 410), p. **329**; construction and care of underground stables regulated (H.B. 333, p. 411), p. **329**.

Miscellaneous: public service commission to issue safety rules (S.B. 1, secs. 116, 130, 131, p. 645, 649), p. **347**.

Trade Disputes: fee for registering label increased (S.B. 524, p. 763), p. **416**.

Wages: payment of discharged employees regulated (S.B. 14, p. 175), p. **428**.

Woman's Work: nine-hour limitation extended; exemptions (H.B. 294, p. 400), p. **441**.

MONTANA

Accidents and Diseases—Reporting: public utilities to report accidents (C. 52, secs. 27, 28, p. 100), p. **205**.

Administration of Labor Laws: department of labor and industry created (C. 55, p. 106; C. 56, p. 108), p. **357**; boiler inspection (C. 30, p. 32), p. **357**; mine inspection (C. 134, p. 502), p. **357**.

Child Labor; compulsory school attendance strengthened (C. 76, c. XI, p. 256), p. **371**.

Miscellaneous: purchase of uniforms regulated (C. 132, p. 172), p. 408.
Railroads and Streetcars: headlights required (C. 32, p. 26), p. 339; full crew required (C. 74, p. 62), p. 339.
Wages: misrepresentation forbidden (C. 276, p. 448), p. 429.

NEW HAMPSHIRE

Accidents and Diseases—Reporting: public service corporations to report accidents (C. 145, sec. 16, p. 63), p. 306; occupational diseases to be reported (C. 118, p. 40), p. 307.
Child Labor: minimum age raised to fourteen (C. 224, p. 97), p. 371; hours regulated (C. 156, p. 68), p. 371; educational qualification (C. 221, p. 96), p. 371.
Factories and Workshops: protection from fire (C. 215, p. 91), p. 315.
Hours: work on legal holidays forbidden (C. 188, p. 87), p. 402.
Railroads and Streetcars: construction of caboose cars regulated (C. 116, p. 40), p. 339.
Trade Disputes: state board of conciliation and arbitration created (C. 186, p. 86), p. 417; membership in labor organizations protected (C. 208, p. 90), p. 417; peaceful picketing allowed (C. 211, p. 90), p. 417; advertising for help during strikes regulated (C. 212, p. 90), p. 417.
Wages: state employees to be paid bi-weekly (C. 38, p. 8), p. 425; wage lien on houses, dams, etc. (C. 93, p. 27), p. 429.
Woman's Work: hours limited to ten and one-quarter a day and fifty-five a week (C. 156, p. 68), p. 442.

NEW JERSEY

Child Labor: issuance of working papers regulated (C. 221, p. 399), p. 371.
Employers' Liability, Workmen's Compensation and Insurance: public employees to be compensated (C. 145, p. 230), p. 393; compensation schedule amended (C. 174, p. 302), p. 393; minor's guardian may compromise (C. 301, p. 617), p. 393; clerical work of commission provided for (C. 177, p. 320), p. 393.
Hours: eight on public work (C. 253, p. 479), p. 397.
Immigration: commission created (C. 92, p. 143), p. 405.
Miscellaneous: ladders for dock workers required (C. 47, p. 80), p. 348; licensing of stationary engineers (C. 363, p. 782), p. 348; elevator construction regulated (C. 183, p. 330), p. 348.
Prison Labor: contract work regulated (C. 366, p. 789), p. 412.
Railroads and Streetcars: full crews required (C. 190, p. 342), p. 340.

NEW MEXICO (No labor legislation.)

NEW YORK

Accidents and Diseases—Reporting: occupational disease reporting law extended (C. 145, sec. 65, p. 257), p. 310.

gate wages (C. 137, p. 228), p. 435; prohibited between 10 p. m. and 6 a. m. (C. 83, p. 150), p. 443; seats with backs required in factories and for waitresses (C. 197, p. 355), p. 443; female employees to be examined by physician of their own sex (C. 320, p. 597); p. 443; prohibited employments (C. 464, p. 974), p. 443; hours of labor in canneries (C. 465, p. 977), p. 443; hours of labor in mercantile establishments (C. 493, p. 1175), p. 443.

NORTH CAROLINA

Child Labor: night work restricted (C. 64, p. 110), p. 373; compulsory school attendance (C. 173, p. 267), p. 373.

Employers' Liability, Workmen's Compensation and Insurance: defenses of assumed risk and contributory negligence modified (C. 6, p. 41), p. 381.

Factories and Workshops: separate toilets required (C. 83, p. 127), p. 320.

Railroads and Streetcars: shelters at division points required (C. 65, p. 111; C. 117, p. 208), p. 341.

Wages: lien laws amended (C. 150, p. 240), p. 429.

Woman's Work: (See "Factories and Workshops", p. 320).

NORTH DAKOTA

Employers' Liability, Workmen's Compensation and Insurance: liability of railroads (C. 230, sec. 8, p. 212), p. 341.

Immigration: board of, created (C. 44, p. 33; C. 118, p. 89), p. 405.

Railroads and Streetcars: clearance near tracks to be maintained (C. 230, p. 210), p. 341; headlights required (C. 233, p. 213), 341.

Wages: enforcement of liens regulated (C. 208, p. 187; C. 209, p. 188), p. 429.

OHIO

Accidents and Diseases—Reporting: occupational diseases to be reported (H.B. 187, p. 184), p. 310; (see also H.B. 483, sec. 7, p. 819), p. 321.

Administration of Labor Laws: industrial commission created (S.B. 137, p. 95; S.B. 296, p. 656), p. 360; penalty for violation of tenement house law (H.B. 203, p. 491), p. 360.

Building Construction: additional appropriation to complete code of regulations governing erection and maintenance of public buildings (S.B. 258, p. 663), p. 345.

Child Labor: laws amended and codified (S.B. 18, pp. 864-913), p. 373.

Employers' Liability, Workmen's Compensation and Insurance: compensation act amended (S.B. 48, p. 72), p. 383; right of action in case of deaths in mines given to parents (H.B. 49, p. 67), p. 381; discrimination against non-resident dependents forbidden (H.B. 526, p. 396), p. 393; society benefits in hazardous occupations (S.B. 33, p. 28), p. 394.

Factories and Workshops: cleanliness in lead factories required (H.B.

Immigration: passage of federal Asiatic exclusion act urged (H.J.M. No. 10, p. 839), p. 406.

Prison Labor: counties, cities and towns forbidden to enter into private contracts (C. 3, p. 13), p. 412.

Railroads and Streetcars: full crew required (C. 162, p. 278), p. 342; headlights required (C. 80, p. 135), p. 343.

Wages: protected on public works (C. 1, p. 11; C. 61, p. 90), p. 397; liens protected (C. 27, p. 59), p. 426; sheep herders lien law amended (C. 248, p. 484), p. 430.

Woman's Work: wages, hours, and conditions to be regulated by industrial welfare commission (C. 62, p. 92), p. 435.

PENNSYLVANIA

(Page references not yet available.)

Accidents and Diseases—Reporting: occupational diseases to be re-reported (No. 851, sec. 7), p. 322; accidents to be reported (No. 408), p. 306; public service corporations to report accidents (No. 854, art. II, sec. 1 (x), art. VI, sec. 35), p. 306.

Administration of Labor Laws: department of labor and industry created (No. 267), p. 360; factory inspectors to enforce wash room law in foundries (No. 32), p. 361.

Child Labor: offering false proof of age forbidden (Nos. 47, 48), p. 374; work in quarries forbidden (No. 412), p. 374; night work prohibited (No. 466), p. 374.

Employers' Liability, Workmen's Compensation and Insurance: industrial accidents commission continued (No. 380), p. 379; compensation for municipal employees (No. 326), p. 394.

Factories and Workshops: occupational diseases to be prevented (No. 851), p. 322; hoods required on emery wheels (No. 447), p. 322; fire proof doors to fire-escapes (No. 190), p. 322; industrial board to make rules and regulations (No. 267), p. 360.

Hours: constitutional amendment authorizing state to regulate hours, wages, and conditions of public employees (H.J.R. 70), p. 397.

Mines: mining experiment station authorized (No. 775), p. 331; additional first aid room required (No. 850), p. 332.

Miscellaneous: licensing of engineers (No. 152), p. 350.

Pensions and Retirement Systems: for municipal employees, first class cities (No. 461), 410; second class cities (No. 38), p. 410.

Prison Labor: commission created (No. 755), p. 413.

Trade Disputes: arbitration of (No. 267, sec. 18), p. 417.

Wages: car record at anthracite mines protected (No. 468), p. 430; semi-monthly pay days required (No. 76), p. 431.

Woman's Work: hours limited to ten a day and fifty-four a week, sanitary and moral regulations (No. 466), p. 444.

Employers' Liability, Workmen's Compensation and Insurance: compensation for injured employees provided and insurance association created (C. 179, p. 429), p. 383.

Hours: eight on public works (C. 68, p. 127), p. 398.

Railroads and Streetcars: derailing devices required (C. 158, p. 334), p. 343.

Wages: to be paid regularly to stevedores (C. 82, secs. 3, 4, p. 154), p. 431; bond to secure wage on public work required (C. 99, p. 185), p. 426; liens on embankments (C. 124, p. 252), p. 431; liens on logs and timber (C. 80, p. 151), p. 431.

Woman's Work: ten-hour day established in certain industries (C. 175, p. 421), p. 446.

UTAH

Adminstration of Labor Laws: woman deputy commissioner of labor authorized (C. 76, p. 119), p. 362.

Child Labor: minimum wage established (C. 63, p. 94), p. 437.

Mines: inspection of coal and hydrocarbon mines required (C. 78, p. 122), p. 332.

Wages: preferred claims (C. 23, p. 26), p. 431; preferred debts (C. 24, p. 26), p. 431.

Woman's Work: minimum wage established for females (C. 63, p. 94), p. 437.

VERMONT

(Session 1912-1913.)

Administration of Labor Laws: state factory inspection provided for (No. 188, p. 241; No. 189, p. 243), p. 362; heating and ventilation provided for (No. 216, p. 290), p. 362.

Child Labor: hours and age certificates (No. 85, p. 104), p. 376; hours and prohibited employments (No. 75, p. 85), p. 376.

Employers' Liability, Workmen's Compensation and Insurance: constitutional amendment permitting compulsory compensation law (No. 254, art. 32, p. 328), p. 395; commission authorized (J.R. 458, p. 631), p. 380.

Immigration: federal immigration bill supported (J. R. 515, p. 661), p. 406.

Railroads and Streetcars: headlights required (No. 160, p. 188), p. 343; air-brakes and seats required on streetcars (No. 159, p. 188), p. 343.

Trade Disputes: state board of conciliation and arbitration created (No. 190, p. 243), p. 418.

Woman's Work: hours of labor limited and childbirth protection secured (No. 85, p. 104), p. 446.

WASHINGTON

Administration of Labor Laws: bakery inspection transferred to commissioner of agriculture (C. 60, sec. 7, p. 198), p. 362.

WYOMING

Employers' Liability, Workmen's Compensation and Insurance: constitutional amendment proposed to authorize compensation law (C. 79, p. 75), p. 395; liability of railroads (C. 132, p. 200), p. 382.

Hours: eight on public works (C. 90, p. 99), p. 398.

Mines: regulations for fire- or mine-boss (C. 22, p. 16), p. 332; party telephone system required (C. 68, p. 64), p. 333; examining board for mine employees (C. 82, p. 78), p. 332; changing check numbers on mine cars forbidden (C. 89, p. 98), p. 333.

Wages: scales at coal mines to be tested (C. 16, p. 11), p. 432; liens on ditch work (C. 100, p. 109), p. 432.

UNITED STATES

(Page references not yet available.)

Administration of Labor Laws: department of labor created (Public 426, 62nd Congress, 3rd session), p. 363.

Hours: eight a day on dredging work (Public 408, 62nd Congress, 3rd session), p. 398.

Miscellaneous: full crews required on vessels (Public 420, 62nd Congress, 3rd session), p. 351.

Trade Disputes: appropriation for antitrust law enforcement not to be used against trade unions (Public 3, 63rd Congress, 1st session), p. 418; federal board of mediation and conciliation created (Public 6, 63rd Congress, 1st session), p. 418.

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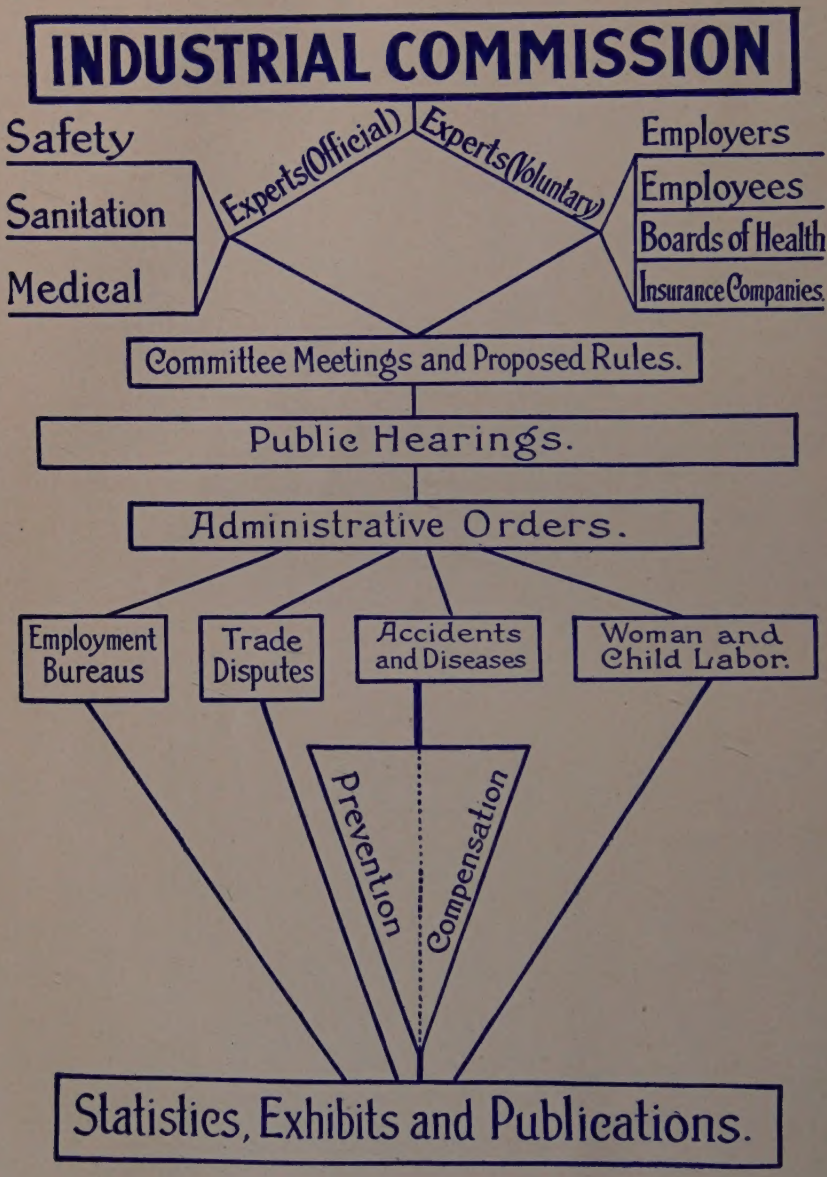
Vol. III, No. 4



SUGGESTIVE OUTLINE OF A FORM OF ORGANIZATION FOR A STATE INDUSTRIAL COMMISSION